1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

2 DEPARTMENT OF LABOR AND TRAINING

3

4

PROCEEDINGS AT HEARING IN RE: :

5 :

RHODE ISLAND STATE :

6 APPRENTICESHIP COUNCIL :

:

7 :

8

9 February 26, 2008

9:30 A.M.

10 1511 Pontiac Avenue

Cranston, Rhode Island 02920

11

12 MEMBERS PRESENT:

13 WILLIAM HOLMES, CHAIRMAN

WILLIAM J. RILEY

14 DAVID MARLAND

WILLIAM O. LEPORE

15

16 VALENTINO LOMBARDI, ESQ., COUNSEL TO THE BOARD

SANDRA M. POWELL

17 RONALD R. D'AMBRUOSO,

18

19

20 RHODE ISLAND COURT REPORTING

747 NORTH MAIN STREET

21 PROVIDENCE, RHODE ISLAND 02904

(401)437-3366

22

23

24 RHODE ISLAND COURT REPORTING (401) 437-3366

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1 (COMMENCED AT 9:32 A.M.)

2 MR. HOLMES: We'll open the meeting

3 of the Rhode Island State Apprenticeship Council.

4 First order of business would be to accept

5 our minutes of January 22. Everybody received a

6 copy in the mail.

7 MR. LEPORE: Motion to accept as

8 printed.

9 MR. RILEY: I'll second that

10 motion.

11 MR. HOLMES: Any questions or

12 discussion? Seeing none, all those in favor,

13 signify by saying aye? Opposed?

14 (VOTE TAKEN; MOTION PASSES)

15 MR. HOLMES: The ayes have it.

16 Before we really get started, I'd like to

17 take the opportunity to welcome our new member,

18 David Marland, from Local 51 Plumbers and
19 Pipefitters taking the place of Mike Ruggieri. So
20 we're getting closer to having a full board. We
21 still have one opening which I discussed with the
22 director. We'll probably have a conversation on
23 that later. But welcome, David, and good luck.
24 MR. MARLAND: Thanks.

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1 MR. HOLMES: If you have any
2 questions, feel free to contact any one of us.
3 MR. MARLAND: Thank you.
4 MR. HOLMES: First item on the
5 agenda is Apprentice Approvals. I'm told that
6 they're all in order. I'll take Buddy's word for
7 it. As he used to say, they're all in order if
8 the council decides to pass.
9 MR. RILEY: I make a motion we
10 accept the apprentice approvals.
11 MR. LEPORE: Second.
12 MR. HOLMES: Any questions or
13 discussion on the items?
14 MR. LEPORE: I have a question,
15 Mr. Chairman. How are we going to verify these in
16 the future until Buddy is replaced?
17 MR. D'AMBRUOSO: We put the package
18 together, Howard Carney comes in once a week and

19 approves them until we have a replacement for
20 Buddy Ekno.
21 MR. HOLMES: Just, it's probably a
22 little out of line, but from what I understand,
23 Buddy's job had been posted a week or so ago and
24 the deadline for resumes has come and gone. From
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1 what I understand, quite a few?
2 MS. SERRECCHIA: Twenty-six as of
3 this morning.
4 MR. HOLMES: Some time very soon,
5 there will be a committee to review them and
6 probably interview -- whittle it down to some and
7 create an interview process. So my goal, I think,
8 would be to get somebody on board, obviously, as
9 soon as possible. If it is possible, I hope prior
10 to next month's meeting, if that's at all
11 possible. We'll see what we can do.
12 MS. SERRECCHIA: We can hope.
13 MR. HOLMES: Okay.
14 Item 2, no New Companies at this time.
15 Item 3, Completion Certificates. Abilene
16 Oil, I believe, has been found in order, waiting
17 passage.
18 MR. RILEY: I make a motion we
19 accept the completion certificates.

20 MR. MARLAND: Second.
21 MR. HOLMES: Any questions? All
22 those in favor, signify by saying aye? Opposed?
23 (VOTE TAKEN; MOTION PASSES)
24 MR. HOLMES: The ayes have it.
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1 Item 4 is mainly for information for the
2 council requiring no action. It's just
3 information letting everybody know who the
4 apprentices that have been cancelled are.
5 Any questions or discussion on those items?
6 Being none, we'll move along.
7 Nothing in Item 5, Item 6.
8 Item 7, with permission, we'll hold until the
9 end, hopefully. I'd like to complete the rest of
10 the agenda before we go into the rules, rules on
11 ratios, et cetera.
12 Item 8, New Business, State Apprentice
13 Council Unilateral Modification of Policies and/or
14 Procedures. Somebody want to give me a little --
15 I'm not sure what it's here for.
16 MR. D'AMBRUOSO: That was completed
17 last month, Mr. Chairman.
18 MR. HOLMES: Let the record show
19 that that item has been completed.
20 Compliance/analysis completed. Again, for

21 information, I assume, the bricklayers, laborers,
22 Energy Electric, Brookside, D&D, Reagan
23 Engineering, and Stedman, et cetera, those
24 compliance/analyses have been completed, Howard?

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1 MR. CARNEY: Reagan Engineering
2 should not be on this list. They have not
3 completed their Affirmative Action
4 responsibilities. They should be sent a letter
5 stating such and until finish their paperwork.
6 All the rest of them are in order.
7 MR. HOLMES: Motion be in order to
8 accept the analysis on all the items except Reagan
9 Engineering?
10 MR. LEPORE: I'll make a motion.
11 MR. RILEY: I'll second that
12 motion.
13 MR. HOLMES: All those in favor,
14 signify by saying aye? Opposed?
15 (VOTE TAKEN; MOTION PASSES)
16 MR. HOLMES: The ayes have it.
17 On Reagan Engineering, the motion would be in
18 order to send them a letter saying that they have
19 been found they're not in compliance and should be
20 brought into compliance before any indenturing of
21 apprentices.

22 MR. LEPORE: I'll make that motion.
23 MR. RILEY: I'll second that
24 motion.
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1 MR. HOLMES: Any questions or
2 discussions? All in favor, signify by saying aye?
3 Opposed?
4 (VOTE TAKEN; MOTION PASSES)
5 MR. HOLMES: The ayes have it.
6 Amended Standards for Ironworkers?
7 MR. CARNEY: We'll have to hold
8 that to next month. It's a little premature.
9 They haven't been completed.
10 MR. HOLMES: So noted. Hold till
11 next month.
12 Okay. Next, Louis Petrucci from Interstate
13 Electric would like to address the SAC to review
14 an apprenticeship served. I believe we have the
15 paperwork here.
16 MR. PETRUCCI: Yes. Mr. Chairman,
17 you should have all -- my name is Louis Petrucci.
18 MR. LEWIS: Brian Lewis. I'm the
19 apprentice that is being discussed right now.
20 I've been with Interstate for five years now. I
21 originally worked up in Massachusetts where I got
22 my schooling for three years. I moved out here

23 over a year and a half ago, completed my 4th year
24 of schooling which is on record with my file that
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1 I sent back in September. I received a letter
2 October 16 stating I had insufficient time and I
3 must show proof of apprenticeship and proof of
4 schooling through Rhode Island, and it said to
5 renew the apprenticeship card. I renewed the
6 apprenticeship card. I had gotten, what you see
7 in front of you today, three certificates
8 certifying my hours through George Gould Institute
9 and which is, I believe, credited with ABC, as
10 well. Also, I had talked to Glenn Dusablon, and
11 he had said to show proof of the actual curriculum
12 and the book, the publisher which is also with the
13 NECC, and that was the stipulations as of right
14 now.
15 I did my three years, like I said, in Mass.,
16 moved down here to Rhode Island. And from what I
17 had understood when I was told that I would have
18 no problem getting it if I had the correct
19 paperwork back in September. And then I finally
20 found out in December that I wasn't able to.
21 That's when I came in January and February,
22 today, to discuss if I can take the exam with the
23 paperwork I have in front of you showing my hours.

24 MR. HOLMES: Howard, it sounds like

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1 a licensing issue.

2 MR. CARNEY: Yeah. It most

3 certainly is. Who sent you the letter?

4 MR. LEWIS: The letter was through

5 Department of Labor and Training through Ronald

6 D'Ambruoso.

7 MR. CARNEY: I don't want to see

8 it.

9 It sounds to me like this is a licensing

10 problem. I don't know why we're entertaining this

11 at all.

12 MR. D'AMBRUOSO: The council has to

13 approve his apprenticeship before we can send it

14 to licensing. Are they going to accept his

15 apprenticeship hours or aren't they?

16 MR. HOLMES: A couple of things.

17 You're asking for the related training hours; is

18 that correct? I'm just trying to frame the

19 question. You're requesting three years,

20 according to these certificates, you're requesting

21 three years of related training from the Gould

22 Institute?

23 MR. LEWIS: Yes.

24 MR. HOLMES: That's your request?

That's the extent of your request, correct?

MR. PETRUCCI: Correct, because he already served his final year in Rhode Island and has been a resident of Rhode Island.

MR. HOLMES: My first question is has the state of Massachusetts State Apprenticeship Council accepted the Gould Institute as a qualified program?

MR. PETRUCCI: Has the state of Massachusetts accepted it? My understanding, yes.

MR. HOLMES: What we've done in the past is if a neighboring state has approved the curriculum and is on an accepted list for them, then we can use their judgment as it's the correct curriculum.

MS. POWELL: Mr. Chairman, it looks like right on the bottom.

MR. HOLMES: It says on it. It says it's been accepted by the state Department of Education. Okay.

MS. POWELL: And Department of Labor, Division of Apprentice Training, as well.

MR. HOLMES: If I may, Buddy, we've done this in the past when institutions have been

1 approved by Mass., we've accepted them as --
2 MR. EKNO: Right. As long as he
3 was in the registered program which it sounds like
4 he was. He's got all the certificates right there
5 showing 144 hours.
6 MR. HOLMES: That brings up another
7 point. Were you in an accepted program in
8 Massachusetts?
9 MR. PETRUCCI: Yeah. His sponsor
10 was Interstate Electrical. He went to the Gould
11 Institute. So yes.
12 MR. HOLMES: I think for the file
13 we have to have proof that he was enrolled in
14 Massachusetts for this time. Assuming we have
15 that and proof of OJT hours just for our file.
16 Assuming that would be provided, I'm not going to
17 hold it up right now.
18 MR. PETRUCCI: Well, unofficially,
19 we've got his hours in with the company. The
20 certificate --
21 MR. HOLMES: The Commonwealth is
22 here that he was enrolled. It's part of the
23 packet.
24 MR. PETRUCCI: You're looking for
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1 enrollment in the school?

MR. HOLMES: No. An indentured program. That he was enrolled in an indentured program in Massachusetts which I believe this is it.

MR. PETRUCCI: Yes.

MR. HOLMES: So he has the indenture. He has this.

Any other questions from anybody or any other comments?

We need proof of OJT hours to accompany this for that same period of time. Assuming we get that, I would possibly entertain a motion if it's the wish of the council.

MR. LEPORE: Mr. Chairman, I don't understand this document. Is this an application for license examination from the state of Massachusetts or does it serve some other purpose?

MR. RILEY: It looks like a license application for a journeyman electrician.

MR. LEWIS: I'm not sure if it shows the hours on the back.

MR. HOLMES: You're right. This is not the indentured form. It's a license

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application.

Louie, you're familiar with this. You know

3 the indentured form that every apprentice has to
4 have here. Massachusetts has a similar form. We
5 would need that, as well as an affidavit about or
6 proof of OJT for the same period to approve this.
7 MR. PETRUCCI: All right.
8 MR. EKNO: If I can, Mr. Chairman.
9 MR. HOLMES: Yes.
10 MR. EKNO: My name is Buddy Ekno.
11 Louie Petrucci and the gentleman with him, Brian,
12 if they were in a registered program up in
13 Massachusetts, they would get from Massachusetts
14 an apprenticeship agreement. They used to be
15 stamped by Mr. John Ricci who is retired. Then it
16 would be Mr. David Wallace or Rita Gill
17 (phonetic). If they get proof of that, they'd be
18 in the program.
19 MR. HOLMES: I would assume -- now
20 that we need that information, I think we have to
21 table it until we get it to make sure. But with
22 the understanding if that comes in, the
23 appropriate paperwork, I think we would pass it
24 next month, I believe.
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1 MR. LEPORE: Does this application
2 qualify you to take the exam in Massachusetts?
3 MR. LEWIS: It will, yes, when I

4 finish my application. I still have to get my
5 hours to Rhode Island. That's the official
6 license, paperwork.
7 MR. LEPORE: So that you currently
8 don't qualify in Massachusetts, either.
9 MR. RILEY: It's four years and ten
10 months.
11 MR. LEWIS: Right, because I have
12 one more year that I served in Rhode Island. I'm
13 waiting for paperwork to pass into Rhode Island to
14 Massachusetts for my exam.
15 MR. PETRUCCI: That will give us
16 four, three in Massachusetts and one here.
17 MR. LEPORE: I make a motion that
18 we table it until the documentation is completed.
19 MR. RILEY: I'll second that
20 motion.
21 MR. HOLMES: Any other questions?
22 Just so we're clear, you're going to need the
23 indenture agreement from Massachusetts, proof of
24 OJT, and any other document that is pertinent to
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1 this.
2 MR. PETRUCCI: All right.
3 MR. HOLMES: All those in favor,
4 signify by saying aye? Opposed?

(VOTE TAKEN; MOTION PASSES)

MR. HOLMES: The ayes have it.

Letter from Mr. Glen Corcetti from the Florida East Coast Chapter of the Associated General Contractors to get approval from SAC on classroom related hours. I don't believe we have anyone here to testify in this matter; and without anybody here, I don't think we're in a position to address this. So I would entertain a motion to table it for further information.

MR. LEPORE: I make that motion, Mr. Chairman.

MR. MARLAND: Second.

MR. HOLMES: Questions or discussion? All those in favor, signify by saying aye? Opposed?

(VOTE TAKEN; MOTION PASSES)

MR. HOLMES: The ayes have it.

ESAC, June 1, 2008. The deadline, I believe, is the first or second week in May for application

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to get registered. I would highly encourage any of the board members to attend. I would ask the director if at all possible to send probably Ronnie and Kathy and, if we're lucky enough to have Buddy's replacement, I would highly encourage

them to go. There's going to be -- this will be a very interesting and informative ESAC. And I think for this council's purpose, it would be very beneficial for them to go.

MS. POWELL: And this is the one in Connecticut?

MR. HOLMES: It's in Foxwoods, Connecticut.

MS. POWELL: Okay. Thank you.

MR. HOLMES: If you don't have applications already, I'll get them to you.

MS. POWELL: I appreciate it. Thank you.

MR. HOLMES: Thank you.

Proposed Revisions to Code, Regulation 29-29. Jill is not here.

MR. CARNEY: I just wanted to notify the council that there's been an extension to March 12, '08 for comments. It had already

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closed and they extended it.

MR. HOLMES: To March 8, right?

MR. CARNEY: March 12.

MR. HOLMES: Okay. I know there's numerous organizations that are sending comments in. I don't think we've really a taken a

7 position. It would be rhetoric to some of the
8 other comments that have been sent in, so. So
9 noted.
10 Before we get into the ratios and rules and
11 regulations, Christine, would you have any
12 comments for the council?
13 MS. GRIECO: My name is Christine
14 Grieco. I brought with me an updated action plan
15 draft because we keep adding and changing to it,
16 but basically it is to update you as to what we've
17 been working on as far as the RFP proposals. We
18 hired a consultant, and we actually had the
19 evaluator rater consensus meeting on February 19.
20 For the first time in my life, all seven
21 evaluators, reader/rater individuals, all agreed
22 on the exact same company to hire for our
23 apprenticeship program. They have numerous
24 projects that they've worked on directly with the
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1 apprenticeship. You would know some of the names
2 that are attached to them, John Griffin for one.
3 They've had years and years of apprenticeship
4 background, as well as a lot of other important
5 background that we needed.
6 So we scored them. I didn't bring copies of
7 all this, but this is what the scoring sheet looks

8 like. When we complete everything with every
9 single individual who sent their RFP in, they'd
10 have gotten a scoring rate that looks like this
11 which will be handed in in a full package to
12 Sandra Powell and a number of other people.
13 Besides that scoring plan, an individual summary
14 evaluation has been written up on each of the five
15 proposers who sent in a proposal. So I
16 accomplished that, as well.
17 And the next -- last week, I presented this
18 company to the Youth Committee Group because they
19 are going to be partnering with us on this. They
20 have endorsed this company. The next step will be
21 that the individual company will be presented to
22 the Strategic Planning Committee of the Governor's
23 Workforce Board and Chairman Bill Holmes along
24 with the Youth Committee director, I believe he's
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1 called, Brandon Milton, they will be presenting it
2 to the Strategic Planning Committee on March 10 at
3 2:30 in the afternoon in 69-1, Building 69, first
4 floor. The Governor's Workforce Group team will
5 then negotiate the contract with this company and
6 then they will present this individual company to
7 the full Governor's Workforce Board on March 13.
8 The consultant is expected to begin work on

9 April 2, and they will be meeting with the
10 Steering Committee which Sandra and a number of us
11 have been working together to put a huge Steering
12 Committee group together, and a number of you
13 right here in this room are on that committee, and
14 Youth Committee individuals along with employers
15 are all on that Steering Committee meeting. The
16 consultant's work should be completed with us
17 around August 20 and a full report project package
18 presented to the Governor's Workforce Board on
19 September 11.
20 So we're moving along with this. Now that
21 we've gotten to this stage, it really seems to be
22 moving very quickly and rapidly and everything is
23 on target at this time. So I'm very pleased to be
24 able to present that company to the Youth
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1 Committee.
2 Is there anything else?
3 MS. POWELL: Christine, thank you.
4 I think the other thing that I want to add, and I
5 know we have a new member of the Apprenticeship
6 Council. So welcome.
7 MR. MARLAND: Thank you.
8 MS. POWELL: This project, and I
9 know the council has been talking about it for a

10 long time, many years, it seems like we're finally
11 moving along, and I think the very nice thing is
12 that the consultant group that was agreed to at
13 this point amongst all of the readers and raters
14 of the proposals seems to be one that has a
15 tremendous amount of experience with issues of
16 apprenticeship which is very important.
17 The other thing is relative to the Steering
18 Committee, actually what we do want to do is sit
19 down with Chairman Holmes, and I did speak to
20 Brandon Milton last night, Brandon Milton who is
21 the chair of the Youth Development Committee of
22 the Governor's Workforce Board. Because one of
23 the things we've talked quite a bit is tying the
24 change and expansion of apprenticeship into young
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1 people and connecting with young people to try to
2 make them aware of the opportunities in the
3 apprenticeship, make them aware, whether they're
4 in K-12 or a little bit older, that there are very
5 good job opportunities. And the council has said
6 many times that there really seems to be a
7 disconnect. A lot of effort made to connect with
8 the schools, but a little bit of a disconnect
9 where young people get the message it's four
10 years, that's the only goal in terms of having a

11 sustainable career. So that is one reason why I'm
12 joined with Brandon Milton of the Youth
13 Development Committee. Also, the Apprenticeship
14 Council did have a joint meeting, just kind of an
15 introductory meeting.
16 Regarding the Steering Committee, there is a
17 list of names that staff, all of us internally
18 have worked on. The idea is that list would be
19 submitted to Chairman Holmes and Brandon Milton to
20 review it and then to cull it down. One point of
21 clarification, nobody is on the Steering Committee
22 at this point. There are proposed names for the
23 Steering Committee and we'll go forward from there
24 with the input from the chairman.
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1 In addition, what we're thinking about is the
2 idea of having subcommittees because it is a huge
3 number of names. We tried to involve the Industry
4 Partnership Group which the Governor has worked
5 with for the funding; get industries that are
6 growing in Rhode Island because they seemed like
7 they might be natural areas where apprenticeship
8 might be something that's doable, and then also
9 folks who are very connected with the
10 apprenticeship today. So we tried to bring the
11 two groups together in terms of expansion. And

12 then also education and career and technical ed
13 people to see if we can do more with them relative
14 to the expansion of apprenticeship.
15 So, again, it's a very, very large list of
16 names at this point, about 40 or some odd?
17 MS. GRIECO: Fifty.
18 MS. POWELL: Fifty, which may be
19 unworkable as a Steering Committee. So, again,
20 we're hoping that maybe some of those people could
21 work on various task teams under this process.
22 MS. GRIECO: May I just add, also,
23 that I followed up on Coffey (phonetic) to do some
24 reference checks on them, also, and spoke to Tim
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1 Connelly (phonetic) who is the team leader of the
2 Office of Apprenticeship in D.C., Tom Hartnett who
3 is the ACA chair in New York, and Tony Swoope who
4 has come to Rhode Island to speak to all of us,
5 and all three of these individuals gave a glowing
6 report on work they've done with this Coffey group
7 before in the past. And thank you, Kathy
8 Serrecchia and to also Bill Holmes who were part
9 of the reader/rater team.
10 And we are very comfortable and confident
11 that this particular consulting group is going to
12 bring everything -- all of our needs will be taken

13 care of as far as they're concerned with the
14 background they have.
15 MR. HOLMES: I would take this
16 opportunity to encourage the council, I would
17 recommend to the council that we endorse the
18 hiring of Coffey Consultants, being part of the
19 readers of the RFPs. They're in the process or
20 just completing the same, relatively the same task
21 in New York, and I have the luxury of sitting with
22 one of the key people from New York on ESAC, and
23 he said the company was outstanding. They gave
24 them all the things that they were looking for.
0024
1 And on kind of a selfish mode, as we were
2 talking, as we finished this ratio project, we
3 were talking about jumping right into completion
4 rates and some of the other things with our own
5 rules and regulations. Well, in the hiring of the
6 consultant, one of the tasks they were told they
7 needed to complete and look at was the rules and
8 regs of our current board and recommendations, and
9 one of the things specifically was completion
10 rates and pay scales and things like that. So
11 that's going to save us a little bit of work right
12 now as far as we won't be jumping right into that.
13 Between the amendments to 29-29 and whatever this

14 consultant may bring by August or September, at
15 that time, if those recommendations are adopted,
16 that may take our work out of necessity.
17 So I would recommend, you know, I know you'd
18 have to take my word for it, but I think we should
19 go on record as agreeing with the hiring of Coffey
20 for this project.
21 MR. MARLAND: Motion.
22 MR. RILEY: I'll second that
23 motion.
24 MR. HOLMES: Any questions on any
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1 of this? Seeing none, all those in favor, signify
2 by say aye? Opposed?
3 (VOTE TAKEN; MOTION PASSES)
4 MR. HOLMES: The ayes have it.
5 We were talking, we acknowledged the new
6 board member. Director, we had a conversation. I
7 don't know if we're going to go forward. One of
8 the things I suggested is the other vacancy that
9 we have, I would suggest that we post it again,
10 seeing that it's basically a management type
11 position --
12 MS. POWELL: Yes.
13 MR. HOLMES: -- and we really
14 didn't have management applications. The previous

15 director suggested that maybe we wait for the
16 incoming, the expansion of the board to other
17 occupations. I think we both agree that that's a
18 little bit down the road, and we need to fill this
19 position and then maybe look at expanding the
20 board later when those new occupations come on
21 board.
22 So I would suggest, if we can, to get that
23 posted, if you still agree.
24 MS. POWELL: Still agree.
0026
1 MR. HOLMES: To post that position
2 as soon as possible so we can get that position
3 filled. Because we all know that the wheels of
4 the government aren't real fast. It's taken us
5 six to seven months to get David here. So we need
6 to get it going.
7 MS. POWELL: Okay. I think we can
8 do that.
9 MR. HOLMES: Before we get into the
10 rules and regs, is there anything else we need to
11 discuss? Anything else before the council?
12 MR. CARNEY: Mr. Chairman, just one
13 item. A while back, we agreed that anything that
14 the federal government needs for apprenticeship,
15 that the state would adopt it, also. And now it's

16 necessary that we put in a federal tax ID number
17 of companies in order to get them onto the rapid
18 system. And other states have told me just
19 recently that -- the SAC representative usually
20 issues a number to a certain company, and that's
21 how we monitor the company. And what they have
22 done in other states is they've used the tax
23 number as their identification number. It serves
24 two purposes. If people come down here and they
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1 don't have a Rhode Island tax number, they should
2 not be indenturing apprentices, of course, and
3 that's one way of proving it. And we just had a
4 company just recently that I noticed when I asked
5 them for their Rhode Island tax number and they
6 didn't have one.
7 So I think it would be benefit the council as
8 a whole to have the SAC representative stop
9 issuing these numbers, even if they're in a
10 sequence, and use a Rhode Island tax ID number
11 instead.
12 MR. HOLMES: Do we see a problem
13 with that? It sounds logical to me.
14 MR. D'AMBRUOSO: Well, there is a
15 big problem with that. What I would like to do,
16 and I talked to Howard, I didn't talk to Howard

17 too long on this issue, is leave the system we
18 have activated going and just add that tax number
19 to the form. I think that's the way it should be
20 done.
21 MR. HOLMES: Your goal is to get
22 the tax ID number on the form.
23 MR. CARNEY: I thought instead of
24 just issuing these numbers, it would serve the
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1 same purpose, but no problem.
2 MR. D'AMBRUOSO: Should we do it
3 with the new apprentices or existing?
4 MR. CARNEY: We would do them with
5 the new companies. It's not the apprentices. New
6 companies. And then over time, we could adjust
7 these as we're working with the company. Like if
8 I do a compliance report and a SAC representative
9 has to reach the company, just ask them for their
10 tax ID number.
11 MS. GRIECO: They should know that
12 number. But if they don't, our ASOS data system
13 on our side of the house, we can pull that number
14 up in a heartbeat because we use that number on
15 every one of our job order forms.
16 MR. HOLMES: I think it makes sense
17 to me to have the tax ID number on there. If you

18 don't use it as the overall ID number, at least
19 have it on there.
20 MS. GRIECO: We use it really as a
21 guideline that if an employer calls us and wants
22 to give us a job order, we will not put a job
23 order in the system if they are not a registered
24 tax paying through our status unit, and that way
0029
1 we inform them. We also do a double check with
2 Workers' Comp before we put a job order in to be
3 sure that the particular company has Workers' Comp
4 already because we don't want to be sending our
5 job seeker customers to a company that doesn't
6 have all the rules and regulations followed.
7 MR. HOLMES: Would we be out of
8 line passing a motion to add the tax ID number to
9 the application?
10 MR. LEPORE: I'll make the motion,
11 Mr. Chairman.
12 MR. RILEY: I'll second that
13 motion.
14 MR. HOLMES: With details to be
15 worked out with the department. All those in
16 favor, signify by saying aye? Opposed?
17 (VOTE TAKEN; MOTION PASSES)
18 MR. HOLMES: The ayes have it.

19 We'll work it out.
20 Anything else?
21 All right. I don't know if everybody brought
22 their rules and regulations that we've discussed
23 ad nauseam. I would ask Val or Ben to kind of
24 give us a recap. Well, I'll give mine first.
0030
1 The document that I'm passing around is the
2 culmination of our work since a year and a half
3 ago with some changes and then there was a public
4 hearing held several months ago. The handwritten
5 notes that you see on there, of course I had some
6 highlighted which didn't come out in the copies,
7 were the areas of concern that came out of the
8 public hearing. We had a discussion probably back
9 in November or December, I forget exactly what,
10 where I pointed out where the possible changes
11 might occur and some ideas. So all it was was
12 some food for thought.
13 And as far as I know and as far as I'm
14 concerned, today is the day that we either make
15 changes based on the public hearing or any other
16 information we had. And there's only a few
17 sections that were affected. We either make
18 changes or not and then go forward from there.
19 And as far as our work is, we're done.

20 MR. LOMBARDI: Mr. Chairman and
21 members of the board, we are in the process where
22 we had a public hearing and comment was made. All
23 of the members of the commission or council did
24 have an opportunity, I would hope, to read the
0031
1 comment and then decide whether, based upon that
2 comment, any additional changes would be made in
3 the proposed rules and regulations. I know of a
4 couple that were suggested and were going to be
5 made, but I don't know all of them and then we
6 also sent a regulatory or flexibility memorandum
7 analysis to the Department of EDC, economic
8 development, and they received it, the Governor's
9 Office received it. We haven't received a
10 response back to them. They're under the
11 impression that don't have to give us a response,
12 but they would just file an analysis. I kind of
13 disagree with that, but I can't argue with them
14 concerning it. If they don't choose to give us a
15 response, then they don't give us a response.
16 What we have to do -- although what we have
17 to do as a council and the department will assist
18 the council in is to respond to any comments that
19 were not adopted by this commission. Any comments
20 for changes to the rules and regulations that were

21 not adopted, we would indicate a response in
22 general to those comments and why they were not
23 adopted by the council. Any ones that were
24 adopted, the change would be made and the final
0032
1 document would be filed with the Secretary of
2 State. After that, if there are any problems that
3 people still conceive that they have, then they
4 can bring suit against the department or the
5 commission that they are hurt by the proposed
6 rules and regs. That's where it goes.
7 MR. HOLMES: Okay. Before we get
8 started, I would ask if there's any comments from
9 the public because once we get started, I think
10 the only comments will be from the council and/or
11 the department, legal staff or the leadership.
12 So does anyone have any comments before we
13 get started?
14 MR. PETRUCCI: Louie Petrucci,
15 Interstate Electrical.
16 Areas of concern that we have according to
17 the information I received. Section 2F, "Sponsor
18 means any person, firm, association, committee,
19 organization or corporation that is principally
20 located within the State of Rhode Island with a
21 recognized capability to operate."

22 The way it's been defined to me, my principal
23 operation has to be in this state.
24 MR. CARNEY: No.
0033
1 MR. PETRUCCI: That's a concern,
2 obviously. Because I don't have any -- even
3 though we're incorporated to do business by the
4 laws of the State of Rhode Island in this state,
5 our principal operation, we cannot exist without
6 our main corporation up north.
7 Section 3K, "If the council determines that a
8 registered sponsor has violated any federal or
9 state labor program requirement, the council may
10 suspend the apprenticeship registration for a six
11 month period after notice and hearing."
12 What constitutes a violation? I mean, is
13 there a process for that system to find that
14 they're in violation? Because if they are to
15 suspend it for six months, that means I got a
16 number of apprentices out on the street then
17 because I've got to let them go because I'm no
18 longer part of the program.
19 And then the last part which is Appendix A,
20 electricians ratio one to one, then one to three.
21 There hasn't been anything submitted as far as I
22 know to support the two topics; number one is that

23 they're better trained, matter of opinion, and
24 that it's a safer environment on a one to one and
0034
1 one to three ratio. I've asked Associated
2 Builders and Contractors in Washington if there
3 are any studies or if they're aware of any studies
4 to that, if it's a safer environment. I got ahold
5 of Independent Electrical Contractors, also, to
6 find out if there were any studies done to show a
7 safer environment. I also got ahold of OSHA,
8 limited, but nevertheless got ahold of them, and
9 none of the three were aware of any studies even
10 warranted that a one to one and one to three ratio
11 was a safer environment. So there was nothing to
12 back that.
13 The problem here is that, in my case, I run a
14 lot of service people.
15 MR. HOLMES: I mean, we're not
16 going through a public hearing. Please, just make
17 your point and be done. We've heard this. I do
18 appreciate what you're saying.
19 MR. PETRUCCI: That's it. Those
20 three topics, those three issues.
21 MR. HOLMES: Anyone else?
22 Why don't we start right at the beginning.
23 Basically, if you will -- and if anybody saw

24 anything else or wants from the council or legal

0035

1 or the department, please stop me as we go. But

2 judging by my notes, these were the areas.

3 They're very similar to what Mr. Petrucci just

4 said.

5 Up in the upper left, the Governor and EDC

6 was not notified. That was brought out at the

7 hearing. That's been taken care of.

8 The next in Section 2A, the official title

9 now needs to be changed. It's now the Office of

10 Apprenticeship, meaning we need to take the word

11 "bureau" and the words "and training" out. I

12 think that's just housekeeping.

13 I think what we'll do is as we go through

14 these, we'll take a motion on each one as we go

15 through, and then we'll take a motion on the

16 entire document.

17 So is there any discussion on making that

18 change? All those in favor, signify by saying

19 aye? Opposed?

20 (VOTE TAKEN; MOTION PASSES)

21 MR. HOLMES: The ayes have it. Top

22 of page two --

23 MR. LEPORE: Mr. Chairman, we need

24 to make a motion.

0036

MR. HOLMES: All right. I'm sorry.

MR. LEPORE: I'll make that motion.

MR. RILEY: And I'll second it.

MR. HOLMES: Motion made and seconded to adopt a change of Office of Apprenticeship of the United States Department of Labor. All those in favor, signify by saying aye? Opposed?

(VOTE TAKEN; MOTION PASSES)

MR. HOLMES: The ayes have it.

Next topic for discussion is Section 2F. This has been highly debated. This goes back to our discussion from a long time ago. Some of the discussions that came out of the public hearing was could there be a grandfather list if we do adopt something like that. And then one alternative that was suggested was instead of "principally located," to say to have a "physical residence." I only put that in as that's what the discussion has been.

At this point, we have to decide to either make the change to "principally located" or any other part of it or leave it as it's printed. Right, Val?

0037

MR. LOMBARDI: Correct.

MR. HOLMES: I open it up for discussion.

MR. RILEY: "Physical presence," why don't we make a motion to change it to "physical presence." That means you've got an office somewhere in the state.

MR. LEPORE: Also be registered with the Secretary of State being qualified to do business.

MR. LOMBARDI: It would depend if that person was a corporation.

MR. HOLMES: Or an LLC.

MR. LOMBARDI: Well, an LLC, then they have to register with the Secretary of State. But if they're a sole proprietorship, they don't have to register with the Secretary of State or a partnership.

MR. HOLMES: One of the major concerns. This goes back a while. We talked about that.

Val, you want to weigh in on this? I know there was discussion with legal about could we, in fact, adopt such a rule?

0038

MR. LOMBARDI: Yeah, there was a

2 question about if this was -- since you do have
3 situations where you work among states as opposed
4 to just being solely within the state, that this
5 would seem to thwart any determination to have
6 that and that might create a legal problem for
7 some of your registered sponsors.
8 So that's why -- I know that you want a
9 presence within the state. And our advice is to
10 make it a presence as opposed to have it that
11 their principal office is located here because
12 that might create too much of a hardship and it
13 might knock out a lot of companies that won't be
14 able to have apprentices.
15 MR. HOLMES: The other discussion
16 was in the past, we've had companies that register
17 with a post office box or somebody's house. And
18 when you're looking at it for the betterment of
19 the apprentice, you know, what is their training,
20 what is the possibilities and the welfare of the
21 apprentice with a company that's using a post
22 office box. So that's what precipitated this way
23 back when.
24 MR. CARNEY: The other thing it
0039
1 affects is an over five account. An over five
2 account needs to have a physical presence in the

3 state where apprentices, especially women and
4 minorities, can go to for Affirmative Action.
5 They can't be applying out of state. You can't
6 expect them to go to Massachusetts to take out an
7 application. That's the big reason why we should
8 have physical presence.
9 And, also, I can't get it in writing at the
10 present time, but my bureau only gave the State of
11 Rhode Island the authority to operate within their
12 territorial borders. Otherwise, we wouldn't need
13 SACs up in Massachusetts and Connecticut. And we
14 are allowing users of the indentured program
15 reciprocity. So I don't see where it causes a
16 problem at all.
17 In Mr. Petrucci's case, he has a physical
18 presence and that's what we're talking about, a
19 physical presence where people can go and take out
20 an application.
21 MR. HOLMES: Something other than a
22 house or post office box.
23 MR. CARNEY: It's common sense.
24 MR. HOLMES: Any other discussion?
0040
1 MR. CARNEY: But I've been
2 challenged on it. When people that we've allowed
3 a registered apprenticeship and found out

4 afterwards when it came time to do the Affirmative
5 Action, that they were located up in Blackstone,
6 Massachusetts. And when I went up there and I
7 said to them, "You have to take your standards of
8 apprenticeship out in Massachusetts versus Rhode
9 Island," they didn't want to do it. "Show it to
10 me in black and white." Well, we didn't have
11 anything in black and white. And one of the
12 reasons to activate it is to put something in to
13 protect it.
14 MR. RILEY: I made a motion for
15 "physical presence" and Mr. Lepore amended that
16 motion. So we have to rescind the complete
17 motion?
18 MR. HOLMES: He would have to
19 rescind the second.
20 MR. RILEY: The amendment.
21 MR. LEPORE: To clear it up, I'll
22 rescind.
23 MR. HOLMES: Okay. Would you
24 restate?
0041
1 MR. RILEY: I make a motion that we
2 replace the word "principally" with "physical
3 presence" in Section F.
4 MR. LEPORE: I'll second it.

5 MR. HOLMES: Any other discussion?
6 All those in favor, signify by saying aye?
7 Opposed?
8 (VOTE TAKEN; MOTION PASSES)
9 MR. HOLMES: The ayes have it.
10 MR. LOMBARDI: Mr. Chairman, we
11 will make it read that there will be a physical
12 presence. We're going to have to change certain
13 language, but the intention is rather than having
14 a principal location, it will be physical presence
15 within the State of Rhode Island.
16 MR. HOLMES: Okay. Thank you.
17 The next one is at the bottom of the page. I
18 had it highlighted, so it probably doesn't show,
19 but this appears numerous times throughout the
20 document where it was suggested to take out a
21 trade and replace it with an occupation. And,
22 apparently, that's coming from the federal level,
23 as well.
24 The discussion at the time was, you know,
0042
1 there's lot of trades. Apprenticeship has
2 basically been trade oriented in the past, and I
3 personally suggest that we don't want to lose
4 that. So my suggestion was wherever this occurs
5 is to put the words "trade/occupation" so we cover

both rather than just eliminating the word "trade."

MR. LEPORE: I make a motion we do that.

MR. MARLAND: I'll second it.

MR. HOLMES: It comes up about seven or eight times. Motion made and seconded. Any discussion? All those in favor, signify by saying aye? Opposed?

(VOTE TAKEN; MOTION PASSES)

MR. HOLMES: The ayes have it.

Okay. Page three, three-quarters of the way down, Item K. "If the council determines that a registered sponsor has violated federal or state labor program requirement, the council may suspend the apprenticeship registration for a six month period after notice and hearing."

This drew a lot of discussion. Some of the talks were, does it violate apprenticeship law?

0043

Is it expanding our authority as given by the state? Is it legal? It's vague and not defined. I believe -- I'm not sure who drafted this. This clause is a new clause in its entirety.

MR. LOMBARDI: That was drafted by the original subcommittee who were to make the

7 original edits.

8 MR. HOLMES: I think the background

9 is we all know that there's some unscrupulous

10 employers out there and that the current

11 decertification program is cumbersome at best or

12 at least, and this was a way that -- I mean, there

13 are occasions where we need to de-certify a

14 program. So this was an attempt. And, again, we

15 kind of saw that it was vague. So we tried to put

16 something in there that after a notice and a

17 hearing, that we could de-certify a program based

18 on facts that were presented to us.

19 Does anybody have any -- most everybody heard

20 the public hearing. Do we want to adopt this or

21 do we want to make any changes to it?

22 MR. LEPORE: I don't understand why

23 they don't understand the violation. They come to

24 the council and they make an agreement as to how

0044

1 they're going to go about training. If they don't

2 adhere to that agreement, they're in violation of

3 the agreement. So why is it so hard to

4 understand?

5 MR. LOMBARDI: Mr. Chairman, I

6 think that the main issue was people were

7 complaining that this was an expansion of -- it

8 was an overly broad expansion of that by using the
9 term "any federal or state labor program
10 requirement." It doesn't mention the term
11 apprentice agreement. Just "any federal or state
12 labor program requirement." It could mean
13 anything.
14 MR. HOLMES: Should we just take
15 "labor program" out and put "apprenticeship
16 requirement"? Or "apprentice council
17 requirement"? Would that be more...
18 MR. LOMBARDI: That would limit it.
19 MR. HOLMES: I mean, that's the
20 scope of our body. So I think maybe the
21 suggestion would be to take the words "labor
22 program" out and replace it with either
23 "apprenticeship requirements" or the "State
24 Apprenticeship Council requirements."
0045
1 MR. MARLAND: I agree. That makes
2 sense.
3 MS. POWELL: Actually, as I'm
4 listening, I'm thinking unfortunately I wasn't in
5 this spot to listen to all of the comments in the
6 hearing. But I'm thinking, number one, I agree.
7 If it says state Apprenticeship Council
8 requirement or apprentice requirement, I actually

9 just have to turn to the staff, is there a
10 substantive difference between the two?
11 MR. D'AMBRUOSO: No.
12 MS. POWELL: Kathy?
13 MS. SERRECCHIA: No.
14 MS. POWELL: So then my suggestion
15 would be "State Apprenticeship Council
16 requirement." That would be my suggestion.
17 MR. LEPORE: I make that a motion,
18 Mr. Chairman.
19 MR. RILEY: Seconded.
20 MR. HOLMES: Motion made and
21 seconded to replace the word "labor program" --
22 all right. I'm sorry.
23 MR. LOMBARDI: Just one other
24 comment before. Does the term "federal" have to
0046
1 be in there? Are there federal requirements
2 separate and apart from our state requirements
3 that can be violated which this council has
4 authority to rule upon?
5 MR. HOLMES: I believe so. We
6 adopt 29-29 as our model. That's the federal law.
7 MR. LOMBARDI: But if there's a
8 violation of that, does it come to this council or
9 some federal body?

10 MR. HOLMES: I think it comes here.
11 MR. LOMBARDI: Okay. That's all I
12 want to make sure.
13 MR. HOLMES: So the motion is to
14 replace the words "labor program" with "State
15 Apprenticeship Council requirements." All those
16 in fair, signify by saying aye? Opposed?
17 (VOTE TAKEN; MOTION PASSES)
18 MR. HOLMES: The ayes have it.
19 There was on page four, number four.
20 Section 5, number four, there was some discussion
21 where a statement that, "Apprentices shall not be
22 less than 16 years of age." Now, in the
23 construction industry, we have 18. So this one is
24 a little bit technical, I think. And there's
0047
1 insurance issues. I know in the construction
2 industry, there's definitely insurance issues with
3 somebody out there around power equipment not
4 being under 18 years of age. So there was a
5 little bit of discussion, not a lot. And I guess
6 I ask legal, you know, are we getting ourselves in
7 a problem by opening it up to 16?
8 MR. LOMBARDI: It would depend upon
9 which trade or occupation you're talking about.
10 MR. HOLMES: Understood.

11 MR. LOMBARDI: This doesn't say
12 that anybody 16 can work anyplace. It's just your
13 apprenticeship rules and regulations would at
14 least cover someone that was 16.
15 MR. HOLMES: With the exception at
16 a higher age requirement which the council has
17 determined. So I guess we're covered there.
18 MR. D'AMBRUOSO: What I wanted to
19 say is I think we should leave the 16 years in
20 there, especially with the expansion of the
21 Apprenticeship Council. The 18 years in the
22 construction industry, that's a law. That's
23 federal law.
24 MR. LOMBARDI: And Ben just pointed
0048
1 out that the state and federal child labor laws do
2 prohibit anyone under the age of 18 from working
3 that has this type trade.
4 MR. HOLMES: So we'd be okay
5 leaving it 16 the way it's written.
6 MR. JACKSON: It's specific to
7 those industries in the child labor law. If you
8 read the child labor laws, it's specific to
9 textiles. It doesn't mention construction.
10 MR. LOMBARDI: Yes, it does.
11 MR. JACKSON: It does? I stand

12 corrected.

13 MR. HOLMES: I think all those

14 things considered plus the rest of the clause, I

15 think we're covered.

16 MR. EKNO: With the new programs

17 you've got coming out now, you're going to be

18 going into the high schools. At least 16 so you

19 don't get in trouble in the high schools.

20 MR. RILEY: It could be a mom and

21 daughter day care in the house.

22 MR. HOLMES: Okay. We're all set

23 on that page.

24 Going on to the next page, number ten. This

0049

1 has been kind of a pet peeve of mine and I think

2 this is one of the many places we should put this.

3 We need to remind people that it is one to one for

4 the first apprentice. And the more places we put

5 that, I know it might be redundant, but I think

6 this is a place where we should actually insert

7 that clause, reminding everyone that it's clear

8 that every company has the ratio of one to one for

9 the first apprentice. You know, this has been

10 blown out of proportion to a fare thee well.

11 I would suggest we add the words "one to one

12 for the first" in this section. And the debate

13 was, "The ratio of apprentice to journeyman is set
14 forth in Appendix A, attached hereto and made part
15 herein as applicable to all participating
16 employers in each apprentice occupation." We'll
17 get into Appendix A at the end.
18 So my suggestion would be, and if there's any
19 other additions or corrections to this section, we
20 should also add the sentence, reminder or whatever
21 in bold, that the ratio of apprentices for all
22 companies is one to one for the first apprentice.
23 MS. POWELL: Mr. Chairman, I'm not
24 sure if this is a typo. "Provision for the
0050
1 numeric ratio of apprentice"?
2 MR. HOLMES: Yeah. The "N" is a
3 typo. Thank you.
4 Any discussion? Is there a motion?
5 MR. MARLAND: I'll make a motion.
6 MR. RILEY: I'll second that
7 motion.
8 MR. HOLMES: The motion is to add
9 the sentence regarding "one to one for the first
10 apprentice," and the department will make it read
11 right. All those in favor, signify by saying aye?
12 Opposed?
13 (VOTE TAKEN; MOTION PASSES)

14 MR. HOLMES: The ayes have it.
15 That's it on that page. If anybody sees anything
16 as we go along that I missed or whatever.
17 MR. D'AMBRUOSO: 14.
18 MR. HOLMES: 14?
19 MR. D'AMBRUOSO: The underlined
20 portion.
21 MR. HOLMES: The underlined part.
22 "All construction apprentices shall comply with RI
23 General Law 28-28 regarding OSHA." That's
24 regarding the OSHA 10, I believe. What are you
0051
1 saying? We should spell that out what it is?
2 MR. D'AMBRUOSO: No. Plus it
3 covers the 18 years of age on a construction site.
4 MR. HOLMES: All right. So noted.
5 That, for everybody's information, that law is the
6 OSHA 10 requirement.
7 Next page, 26 and 27 created an abundance of
8 comments. Mainly, in 26, it says, "The apprentice
9 shall submit a weekly report to the sponsor." The
10 current rule is -- what are we -- I mean,
11 according to the way it's written, this is new.
12 MR. LOMBARDI: My understanding is
13 there's no specific requirement. It's just at the
14 end of the term when they file their final card

15 report, everything is on there. This would add an
16 extra requirement that they would maintain this so
17 if somebody wanted to look at it, it would be
18 available. Submit weekly reports. Then I recall
19 the council having discussed making it less
20 strenuous and making them either monthly or
21 quarterly.
22 MR. EKNO: What happened,
23 Mr. Chairman, I think some of these sponsors are
24 misinterpreting some of the parts in here that
0052
1 they're supposed to do. Right at the present
2 time, I'm not here anymore, I'm retired. While I
3 was here, they had the apprentice's company, the
4 sponsor had an apprentice logbook they're supposed
5 to keep, and in that logbook there's related
6 instruction plus classroom related -- I mean,
7 on-the-job training. Both those scenarios come
8 together. Most of the companies were coming like
9 maybe in once a year when an apprentice would come
10 in to renew his card, and we would accept that as
11 long as it was signed by the company where it says
12 sponsor and it would also have to be initialed on
13 the right hand column every one of those days that
14 the apprentice worked. We would accept that.
15 I think that some of these companies are

16 thinking that they have to report to the state
17 every week. That isn't going to work.
18 MR. D'AMBRUOSO: When an invoice
19 goes out now, we change the invoice. That has to
20 be signed by the sponsor and the number of hours
21 on that invoice. It goes out to every sponsor.
22 When that comes back, it's entered. I think the
23 purpose of this was at the beginning, if I recall
24 right, some of the apprentices were coming in and
0053
1 they couldn't recall what their hours were. That
2 booklet was for them to keep track of their hours
3 in case there was a dispute between the contractor
4 and the apprentice at the end. That was the
5 purpose of the book. This kind of got a little
6 bit out of hand with this reporting.
7 Our main concern is every year when they come
8 in to renew their apprentice card, the hours are
9 entered on their voucher so we can enter it into
10 our system so we know exactly from year to year
11 the number of hours that are being entered for
12 that apprentice.
13 MR. CARNEY: Mr. Chairman, in every
14 set of standards, we give the apprentice and the
15 employer a work process. In that work process, it
16 shows the employer and the employee approximately

17 how many hours they should be spending on each
18 different aspect of their trade, totalling up to
19 4,000 hours, 8,000 hours, whatever it may be.
20 The intent of this daily logbook is so the
21 apprentice or the employer can put into the master
22 record card sheet which is also an appendix to the
23 standards, that we can go in and monitor to make
24 sure that the individual is being moved around as
0054
1 best that employee can do and not just being left
2 on certain aspects of the trade and doing the same
3 thing over and over and over again. It's a more
4 systemized approach and the biggest advantage over
5 people not being trained according to a system.
6 That was the original intent of the work process
7 in the monitoring of the hours.
8 MR. HOLMES: And I agree. And I
9 think the debate, like what Val said, they're
10 saying it's cumbersome to do it weekly. But on
11 the other hand, if you went to quarterly, which I
12 think is probably a fair compromise, but if you go
13 quarterly, then the apprentice, if he isn't doing
14 it weekly, he's got to remember back for three
15 months, and it's not going to happen.
16 So on one hand, it may be cumbersome. But
17 this is saying the apprentice must submit the

18 logbook once a week, and, I mean, that's not --
19 MR. LEPORE: It's not an employer's
20 burden.
21 MR. HOLMES: So, I mean, I don't
22 know if we go more than monthly.
23 MS. POWELL: I was just thinking.
24 I was thinking monthly.
0055
1 MR. HOLMES: Because at least maybe
2 they could think back four weeks.
3 MR. LOMBARDI: The burden is upon
4 the apprentice to do it, but don't forget, it's
5 the sponsor who has to maintain it because he has
6 to do the final master card.
7 MR. HOLMES: And they're already
8 required to do that. Any other discussion?
9 MR. LEPORE: It's to make sure they
10 get trained. How else are we going to keep track
11 of it?
12 MR. HOLMES: I think ultimately,
13 like you said, that this is going to provide the
14 vehicle that hopefully, ideally we'll get somebody
15 who's going to go out to the companies and
16 schooling to monitor, and they'd be able to walk
17 in and see that every apprentice that's working
18 for XYZ contractor is keeping their book up to

19 date.

20 So is there a motion?

21 MS. POWELL: Mr. Chairman, if I

22 can, just one more idea. What about biweekly

23 similar to pay?

24 MR. HOLMES: Every other week.

0056

1 MS. POWELL: Every couple of weeks.

2 If the concern is that weekly is too onerous on

3 behalf of both, but we want to make sure that

4 information is shared and consistent, would that

5 respond to the concern but keep the concerns of

6 Apprenticeship Council in mind?

7 MR. LOMBARDI: To be honest with

8 you, I think you're going to have a complaint no

9 matter what.

10 MR. HOLMES: No matter which you

11 do, somebody is going to object.

12 MS. POWELL: Right. I understand

13 that.

14 MR. HOLMES: So why don't we pick

15 something that we think is reasonable. Sorry,

16 Louie.

17 MS. GRIECO: Monthly.

18 MR. RILEY: Monthly ought to be

19 enough.

20 MS. POWELL: I would think monthly
21 is okay.
22 MR. HOLMES: Is there a motion?
23 MR. RILEY: So I make a motion to
24 change the word "weekly" to "monthly."
0057
1 MR. MARLAND: I'll second it.
2 MR. HOLMES: Motion has been made
3 to change the word "weekly" to "monthly." Any
4 other discussion? All those in favor, signify by
5 saying aye? Opposed?
6 (VOTE TAKEN; MOTION PASSES)
7 MR. HOLMES: So it's monthly.
8 Section 27 again created a lot of discussion
9 in the public hearing. "The estimated completion
10 date affixed to the apprenticeship agreement may
11 be extended not to exceed two years. Requests for
12 an extension beyond two years will be made in
13 writing to the council."
14 I'll preface my comments by saying I think
15 this clause was misunderstood. But some of the
16 comments were it was insensitive, it's unfair to
17 minorities, it's unfair in general.
18 Typically, now there's a lot of difference,
19 we run anywhere from three to five years basically
20 for apprenticeship. I believe this clause says

21 that no more than two years beyond the normal
22 apprenticeship. An apprentice can be extended for
23 no more than two years beyond. And if in select
24 instances you needed more than two years, then you
0058
1 could apply in writing to us.
2 Now, speaking from my craft, if somebody
3 can't complete the requirements in six years,
4 there's something wrong.
5 MS. POWELL: Unless there's a
6 health issue.
7 MR. HOLMES: Unless there's a
8 health issue or something like that.
9 MR. LEPORE: That's addressed in
10 the last sentence.
11 MR. MARLAND: Well, you can apply
12 for an extension for your health or whatever, you
13 can apply for those extensions, can't you?
14 MR. LOMBARDI: The way it reads,
15 you could apply for an extension for more than two
16 years. It's just it indicates that, "The date
17 affixed may be extended not to exceed two years,"
18 and then requests for more than two years can be
19 applied for and addressed by the council. And it
20 doesn't say the number of extensions, either.
21 MR. HOLMES: It's pretty open

22 ended.

23 MR. LEPORE: I make a motion that

24 we retain it the way it's written.

0059

1 MR. MARLAND: I second that.

2 MR. HOLMES: Any other discussion?

3 MS. POWELL: I just have a

4 question. Is this the current practice as it is

5 now? So this is no change in the current

6 practice?

7 MR. RILEY: That's a whole new

8 section, right?

9 MR. HOLMES: In other words, it's

10 basically been the practice, but it's never been

11 written. So that's why it's underlined.

12 MS. POWELL: And it hasn't been a

13 problem up to this point, right?

14 MR. LOMBARDI: The council has

15 dealt with all requests of that nature.

16 MR. D'AMBRUOSO: The comment I want

17 to make, the purpose of that two years was for the

18 people that are continuing ten, 15, 20 years

19 carrying an apprenticeship.

20 MR. LOMBARDI: You mean the

21 lifetime apprentices?

22 MS. SERRECCHIA: We've allowed them

23 to do that.

24 MR. D'AMBRUOSO: That was the

0060

1 purpose of doing this. But two years, I mean, if

2 you look at the industry right now, all these

3 apprentices are just about laid off in every

4 industry going. Two years is kind of tight. I

5 hope this council doesn't get flooded by people

6 asking for extensions on those two years.

7 MR. HOLMES: Well, that because our

8 current rule is, what, 1800 or 2,000 hours which

9 is definitely unrealistic. That was another one

10 of the rules we needed to look at in general.

11 That right now, by agreement, each apprentice is

12 supposed to work 2,000 hours or 1800?

13 MS. SERRECCHIA: 2,000.

14 MR. HOLMES: 2,000. On the books,

15 it's 2,000. As Ronnie says, right now, and it has

16 been, it's been physically impossible. You take

17 holidays out, you take weather out, you take all

18 this stuff out, 2,000 is unrealistic. So if we

19 hold everybody to the strictest letter of the law,

20 you're right, it could take forever. But most

21 programs have some form of a waiver if they get in

22 within X amount because it does provide for a

23 waiver not to receive the 2,000. But we don't

24 want people out there as a lifetime or getting 200

0061

1 hours in a year and then being passed on to the

2 next year or to a journeyman.

3 MS. POWELL: So this is just

4 codifying what already exists, and it would

5 address the people who are lifetime because they

6 have to come before the council to explain why

7 they've been an apprentice for eight years or

8 whatever. And for the people who exceed two

9 years, if they do what's in 26 and keep the book,

10 they could show the periods of unemployment and

11 different things like that that might impact why

12 they didn't have the time.

13 MR. D'AMBRUOSO: Can I ask another

14 question on that?

15 MR. HOLMES: Yes.

16 MR. D'AMBRUOSO: How is that going

17 to impact you? I'll use electricians. He works

18 for a company for 500 hours. Now he can't find

19 another job, and he works for Walmart for two

20 years. Would that new company that hires him,

21 would they have to come before this council or the

22 apprentice would have to come before this council?

23 MR. HOLMES: I think the apprentice

24 would.

MR. CARNEY: The new sponsor would have to have an indentured program. Otherwise, his time wouldn't count. That's against licensing laws --

MR. D'AMBRUOSO: I understand that. That's not what I'm asking. If he worked for an indentured contractor for 500 hours. Now he can't find someone else to work for. Two years along the line, he does finds someone that's an indentured contractor.

MR. CARNEY: His responsibility is 8,000 hours, whether it be apprenticeship or licensing. So he has to complete the 8,000 hours. He'd have to complete 7200 hours more.

MS. POWELL: So I think Ron's question is so that would have to come before the council?

MS. SERRECCHIA: Yeah.

MS. POWELL: And it would. According to this, it would.

MS. GRIECO: By whom Ron is saying.

MR. HOLMES: That's what's happening in a lot of companies. They use them for a couple of years and they discharge them and

they don't go anywhere. In union programs, they tend to go to other employers. In nonunion programs, they just go wherever. And maybe they're lucky enough to get back into a program at some point.

MS. POWELL: So this isn't saying they'd be denied. But it's basically saying that they would come before you. And your question is basically is this going to create a lot more? But it sounds like the council is willing to entertain that.

MR. RILEY: They got to come before the board and have a hearing and be reviewed.

MR. HOLMES: Reviewed. What happened? Where's he been?

MR. CARNEY: We've been operating under this for years and it hasn't been a problem.

MR. HOLMES: Motion has been made and seconded to leave number 27 as written. All those in favor, signify by saying aye? Opposed?

(VOTE TAKEN; MOTION PASSES)

MR. HOLMES: The ayes have it.

Nothing but trade and occupation on the next page.

0064

Now I think we move to the appendixes unless

anybody has anything else.

Before we get into the electrical debate, there was one other housekeeping issue. If you go to the very last page, there was a housekeeping issue on the unlicensed trades. The heat and frost insulators were omitted by mistake, so we added them in. And they have a one to four, and that's the accepted practice in the field. I would entertain a motion to include that.

MR. MARLAND: I make a motion.

MR. LEPORE: Second.

MR. HOLMES: Any discussion? Hearing none, all those in favor, signify by saying aye? Opposed?

(VOTE TAKEN; MOTION PASSES)

MR. HOLMES: The ayes have it.

MR. LOMBARDI: Would that be across the board?

MR. HOLMES: Yes -- no. I apologize. It would be just commercial.

MR. LOMBARDI: Okay. It would Nonapplicable for any others.

MR. HOLMES: Nonapplicable for the

others.

Now we get to probably the most discussed

3 topic that we had. Go back to Appendix A, first
4 item, electricians. One to one and then one to
5 three is what we adopted after everything was
6 said. There was a lot of discussion that it
7 should be one to one. There was discussion that
8 it should be one to five. All over the board. We
9 heard from everybody here. We have our resident
10 electrical person here. We discussed it when we
11 adopted this, and this is what we adopted.
12 So what I'm saying is we adopted one to one
13 which is the same for everybody in commercial and
14 manufacturing/shop. After the first one, it goes
15 to one to three. I just want to make sure
16 everyone is understanding what we're saying.
17 Is there a motion to change that? Hearing
18 none, I would entertain a motion to --
19 MR. LOMBARDI: I don't think you
20 have to.
21 MR. HOLMES: Okay. No motion
22 there. And I guess for the record --
23 MR. LOMBARDI: Mr. Chairman, there
24 is an issue there concerning operating engineers
0066
1 which was brought up -- which Mr. Burnham who is
2 the chairman of the Hoisting Board did speak at
3 the public hearing and he also addressed the

4 Hoisting Board and Mr. D'Ambruoso about the
5 situation whereby the operating engineers, if I
6 can paraphrase from what Mr. Burnham said at the
7 public hearing, do not feel there's a need to have
8 a ratio there because you would need a license to
9 operate a hoisting device. So there cannot be
10 a -- there's no apprenticeship situation there.
11 You cannot work one to one. They are working on
12 something where they'll have a trainee license
13 which would take that place. But right now as it
14 exists today, hoisting engineers and operating
15 engineers, there's only one person they can work.
16 They have no apprenticeship. So that the
17 apprenticeship ratio would be nonapplicable to
18 them. That's what Mr. Burnham had suggested, and
19 I wanted to make sure the board understood that.
20 MR. HOLMES: Well, you're the
21 resident expert in that craft.
22 MR. D'AMBRUOSO: I go along with
23 Val on that situation. There shouldn't be a ratio
24 for there.
0067
1 MR. HOLMES: So, in other words,
2 those blocks should be blank.
3 MR. D'AMBRUOSO: Those blocks
4 should be left wide open.

5 MR. LOMBARDI: Or not applicable.
6 MR. D'AMBRUOSO: The one to five is
7 something that's done within the union, but that
8 has no bearing on us.
9 MR. HOLMES: It's pretty much for
10 the overall companies.
11 MR. D'AMBRUOSO: Yeah.
12 MR. HOLMES: For the record, I'd
13 entertain a motion that the blocks opposite
14 operating engineers would say N.A.
15 MR. LEPORE: I'll make that motion.
16 MR. RILEY: Second.
17 MR. HOLMES: Any other questions?
18 All those in favor aye, signify by saying aye?
19 Opposed?
20 (VOTE TAKEN; MOTION PASSES)
21 MR. HOLMES: The ayes have it.
22 Does anyone else, board member or legal or
23 the department have any topics to discuss?
24 Seeing none, I would entertain a motion to
0068
1 accept the rules and regulations as amended and to
2 be fixed in English, understood by all, highly
3 suggested to include one to one for the first one
4 as many places as we can put it, and I would
5 entertain the motion to accept as amended.

6 MR. LEPORE: I'll make a motion,
7 Mr. Chairman.
8 MR. RILEY: Second.
9 (VOTE TAKEN; MOTION PASSES)
10 MR. HOLMES: Any questions?
11 Howard.
12 MR. CARNEY: Just a question. When
13 this is sent in to the Secretary of State, do any
14 other documents that we use have to go with it?
15 MR. LOMBARDI: No.
16 MR. HOLMES: Please, let's make
17 sure all the appendixes and everything is included
18 with this so we don't leave any technicalities.
19 MR. CARNEY: Because we are going
20 to have to make changes to the standards.
21 MR. HOLMES: When the federal thing
22 is --
23 MR. CARNEY: When it's accepted by
24 the state.
0069
1 MR. MARLAND: How long before we
2 figure this is going to go into effect?
3 MR. LOMBARDI: This should go into
4 effect almost immediately. And probably will be
5 challenged almost immediately, also.
6 MR. HOLMES: Could I ask whoever

7 does this to forward the completed rewritten
8 document to the council?
9 MR. LOMBARDI: We will, and I think
10 we'll need your signature on the final document.
11 MR. HOLMES: Oh, good.
12 MR. COPPLE: You'll be named as a
13 defendant.
14 MR. HOLMES: Anything else to come
15 before the council? I thank everyone for their
16 patience and their hard work and let's see what
17 the consultant comes up with.
18 MR. RILEY: I'll make a motion to
19 adjourn.
20 MR. LEPORE: Second.
21 (VOTE TAKEN; MOTION PASSES)
22 MR. HOLMES: Thank you. The next
23 meeting is March 25, our usual day, the
24

0070

1 fourth Tuesday right here. Thank you.
2 (HEARING ADJOURNED AT 10:50 A.M.)
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0071
1 C E R T I F I C A T E
2
3 I, Linda S. Taylor, a Notary Public in
4 and for the State of Rhode Island, hereby certify that
5 the foregoing pages are a true and accurate record of my
6 stenographic notes that were reduced to print through
7 computer-aided transcription.
8 In witness whereof, I hereunto set my hand

9 this 29th day of February, 2008.

10

11

12 _____

LINDA S. TAYLOR, NOTARY PUBLIC/CERTIFIED COURT REPORTER

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15 My Commission Expires 7/2/09

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