

RHODE ISLAND STATE APPRENTICESHIP COUNCIL

Minutes of meeting of March 22, 2005

In Attendance: William Holmes, Chairperson

**Harold "Buddy" Ekno, Supervisor of Apprenticeship
Training**

William Riley

William Lepore

Joseph Contarino

William O'Rourke

Michael Ruggeri

Howard Carney

The meeting was called to order by Chairperson, William Holmes at 9:30 a.m.

There is a quorum. Members not in attendance were David Rampone and Eddy Sullivan.

The first item on the agenda is acceptance of the minutes of the Tuesday, March 1, 2005 meeting of the State Apprenticeship Council. A motion was made by William Riley to accept the minutes as submitted. Mr. O'Rourke seconded the motion. All members voted in favor.

1. Apprentice Approvals

Buddy Ekno stated that all items under apprentice approvals are in order and ready for the State Apprenticeship Council's approval. Joseph Contarino made a motion to approve all new apprentice approvals. William Riley seconded the motion. All members voted in favor. The following are the new apprentices who have been approved:

Bradford Soap Works ¡V Joseph P. Kazarian, Electrician; Eric Levesque,

Electrician

Everette C. Brown Plumbing & Heating ¡V John L. Dusablon, Pipefitter Class 2

Buckley Heating and Cooling ¡V Jaie Falcone, Pipefitter Class 2

CAM H.V.A.C. & Construction, Inc. ¡V Orlando D. Siravo, Sheet Metal; Christopher R. Pearson, Sheet Metal

Clemont Plumbing & Heating ¡V Eric Sylvia, Pipefitter Class 2; Daniel Lanagan,

Pipefitter Class 2; Anthony P. Berard, Pipefitter Class 2

Consumer Oil ¡V Gerard Joly, Pipefitter Class 2

Duff Electric Corporation ¡V Harry L. Gonzalez, Electrician; Justin D. Fortune, v

Electrician

Farland Electric, Inc. ¡V Dale Rankin, Electrician

Humphrey Oil Company, Inc. -- Peter Richard Messier, Pipefitter Class 2; Larry Beck, Pipefitter Class 2; William Kittila, Pipefitter Class 2;

1. Apprentice Approvals ¡V Continued:

Izzo Electric & Son, Inc. ¡V Nicholas A. Daigle, Electrician

J & J Oil -- Logan Dowd, Pipefitter Class 2

Petro Oil ¡V Henry Soares, Pipefitter Class 2

Preferred Heat, Inc. ¡V Jason Silvia, Refrigeration Class 2

Sheridan Electric, Inc. ¡V Joseph M. Madden, Electrician

S.J.V. Electric, Inc. ¡V Glen C. Kilbourne, Electrician

Summit Electrical Contractors, Inc. ¡V David L. Stockwell, Jr., Electrician

2. New Companies

Mr. Ekno stated that all items under new company approvals are in order and ready for the State Apprenticeship Council's approval. Joseph Contarino made a motion to approval all new companies. William Riley seconded the motion. Under discussion, William Lepore asked if Amaral Revite Corporation is a Manufacturer. Buddy Ekno informed Mr. Lepore that he is an electrical contractor out of Newport, RI. He is also an instructor at Newport Vocational. He has a Class A

License, a Class B License, and a Class AC License. All members voted in favor. The following are the new companies which have been approved:

Amaral Revite Corporation ¡V Carlos A. Pereira, Electrician

Botelho Electric Co. ¡V Roger Ramos, Electrician

Heritage Oil, Inc. ¡V Manual A. Lopes, Pipefitter Class 2

Hope Global ¡V David P. Garceau, Electrician

Hull Suburban Propane, Inc. ¡V Peter McNear, Pipefitter Class 2

Frank I. Rounds Co./Michael Rodrigues ¡V Daniel Mello, Pipefitter Class 2

3. Completion Certificates

Mr. Ekno stated that all items under completion certificates are in order and ready for the State Apprenticeship Council's approval. William Lepore made a motion to approve all completion certificates. William O'Rourke seconded the motion. All members voted in favor. The following is the completion certificate which has been approved:

IBEW Local #99 JATC -- Luiz Baez, Telecommunications Technician

4. Apprentices, Sponsors and Standards needing assistance from the Council:

None

5. Communication Letters

There were two (2) communications. One from Local #37 Iron workers informing the State Apprenticeship Council of a notice of application period.

The other communication was from Preferred Heat, Inc. updating their apprenticeship standards.

6. Any Old Business

„h ESAC 2005 iV William Holmes informed the Council that the ESAC Committee is in fund raising mode at this time. The next meeting of the ESAC Committee is scheduled for Friday, April 8, 2005 at the Carpenters Union Hall. Contributions are coming in every day. So far, there are 55 registrants, and \$40,000 has been taken in. Sponsors are coming in, however, they are still looking for additional sponsors. The ESAC Committee needs to find out from the various unions who will be leading the break-out sessions. The total budget looks to be

approximately \$100,000. William Holmes informed the Council that he will be meeting with the RI Department of Labor & Training to determine what contributions the state will be providing for this conference. Mr. Holmes has received a verbal commitment from the Governor to speak, however, that is subject to change based on his schedule. Mr. Holmes asked the Council for whatever assistance they can lend for the conference. They need all the help they can get.

Buddy Ekno informed the Council that he contacted CVS to see if they would be amicable to contributing an item to ESAC to put into the bags that will be given out, such as they do for the road races.

Howard Carney explained the notification sent to all SACs from the BAT. This notification requires that all proposed modifications in legislation, policies and/or operational procedures planned, or implemented by the SAA/SACs must be submitted and processed as follows:

a) The SAC will forward any proposed state apprenticeship legislation, procedure or policy modification(s) to the OATELS National Office located at the U.S. Department of Labor & Training, Attention: OATELS Administrator, 200 Constitution Avenue, N.W., Room 4671, Washington, DC 20210.

b) The OATELS National Office will provide copies of the SACs submission to the appropriate OATELS State Director and Regional Director for comments and recommendations on the submittal.

c) Input from the OATELS state and regional staff shall be prepared

and submitted to the National Office as quickly as possible, without compromising substantive review.

d) The National Office will make every effort to complete action on a SAC's proposed change in a timely fashion.

e) In circumstances where a SAC foresees that the state legislature or the state agency regulating apprenticeship (the SAC itself) is operating under time constraints that would not accommodate completion of OATELS prior approval process, the SAC should incorporate a "savings clause" into any such proposed modification(s) either delaying or rescinding the effective date of any change based on subsequent action by OATELS.

In the February meeting of the SAC new procedures were issued for compliance reviews. This is a national program, and a lot of SACs have been operating independently. Howard Carney informed the Council that BAT is looking for SAC approval of equal opportunity forms to be used in Rhode Island for compliance reviews. There are three (3) different form letters involved. Howard Carney wants the SAC to go on record as being in support of these forms. Buddy Ekno and Howard Carney will be using the same forms for compliance reviews. William Lepore made a motion that the SAC is in support of the three (3) form letters to be used in Rhode Island for compliance reviews. Michael Ruggeri seconded the motion. All members voted in favor.

7. New Business

Buddy Ekno informed the Council that in the last month or so, he, Mr. Charles Wright and Mr. Edward Whittaker have visited approximately 17 classes at various technical and vocational schools to speak on apprenticeship.

Gem Plumbing iV On March 16, 2005 Buddy Ekno and Howard Carney met with Mr. Richard Keenan, Coordinator of Training for Gem Plumbing to conduct an EEO Compliance Review (and Quality Assessment) of their registered apprenticeship program. This review covered the time period from February 18, 2004 through March 16, 2005. The following findings were made:

- 1. Approved selection procedures were not followed**
- 2. Improper interview policies/procedures**
- 3. Improper rating/ranking of applicants**
- 4. Ranking/selection list not followed**
- 5. Related instruction documentation not provided**
- 6. Deficiencies in documentation of selection**
- 7. Under-utilization of females**
- 8. Goals established at last review not met yet**

Based on these findings, a recommendation is being made to the RI SAC that all indenturing of apprentices for Gem Plumbingi's program

be stopped until all the deficiencies listed above are corrected.

Kenneth Aurecchia was in attendance to speak in regards to this issue. Mr. Aurecchia passed out copies of Local 51's apprenticeship program. Included are the names of all apprentices, copies of all advertisements including all minority groups they are required to notify, their affirmative action plan and workforce analysis. This costs Local 51 considerable money and they have a very successful completion rate.

Mr. Carney informed the Council that Gem Plumbing is advertising like they should be, every six (6) months, and they are notifying all of the EEO people they are supposed to be notifying. They were registering applicants and indenturing male, female and minorities, but then they stopped the process. They have not fully identified their total workforce to our satisfaction. They have a 49% cancellation rate, which means they have a very low completion rate. They are doing some of the things they need to be doing, but not all of the things they need to do.

Gem Plumbing should be given a deadline to comply, and if they do not comply, then the Council needs to get advise from legal counsel

as to how they should go about decertifying Gem Plumbing's program.

David Fugiere from Local 51 addressed the Board. Mr. Fugiere stated that this has been going on for well over a year with this company and the Council.

Upon questioning legal counsel as to what the procedure is for the Council to follow, Valentino Lombardi, Legal Counsel for the Department stated that notification has to be sent out to them identifying their deficiencies and giving them 30 days to comply. The company can request an additional 30 days to get into compliance. After that time, if the company has failed to comply, a letter needs to be sent to Gem Plumbing informing them that a deregistration hearing has been scheduled. The notice should include that Gem Plumbing shall not register any apprentices into their program until all deficiencies are corrected. Mr. Lombardi did inform the Council that until the program is deregistered, it is still a registered program, and apprentice renewals cannot be stopped, only registering of new apprentices.

Joseph Contarino made a motion to send a letter to Gem Plumbing informing them that future indenturing of apprentices shall be discontinued until all deficiencies noted in the letter are corrected, and giving them 30 days in which to comply. Remedies need to be included as well. Also

inform them in the letter that a deregistration hearing will be scheduled if they do not comply with the terms of the letter. William Lepore seconded the motion. All members voted in favor.

8. Any Further Discussion

Ms. Margaret Fuela was scheduled to attend today's Council meeting to address the SAC, however, she was unable to be here. Buddy Ekno said Ms. Fuela wants to add a class. Instead of two (2) night classes per week, they want to meet three (3) nights per week.

Fire Suppression of New England. Andrea Fram and Tom O'Connor were in attendance at today's Council meeting to address the SAC. They currently have two (2) Massachusetts apprentices who are reciprocal in Rhode Island. These two (2) apprentices are enrolled in a correspondence class in Massachusetts, which is approved by the State of Massachusetts, and Mr. O'Connor and Ms. Fram want to find out if this is acceptable to the Council. They would like to register them in Rhode Island, however, the 1 to 5 ratio prohibits them from registering these additional two (2) apprentices in Rhode Island, and

that is why they are registered in Massachusetts. William Holmes informed Mr. O'Connor and Ms. Fram that Rhode Island has never approved a correspondence class in Rhode Island, however, these two (2) apprentices are Massachusetts registered apprentices who are reciprocal to Rhode Island. Therefore, their classroom training has to be in Massachusetts, and if the state of Massachusetts has approved the correspondence class, then the RI SAC does not have a problem with this.

Gregg Moore, an electrical apprentice, would like his hours from New England Tech added to his classroom related hours 3 semesters, 144 hours. William Holmes stated that this needs to be referred to the Board of Examiners of Electricians. There are some classes that the Council would not give credit for. Joseph Contarino made a motion to refer this matter to the Board of Examiners of Electricians. William Lepore seconded the motion. All members voted in favor.

William Holmes informed the Council that they need to pick a date and post an agenda for the sub-committee regarding changes to rules and regulations. The sub-committee came up with recommendations, however, the meeting has to be posted.

There was no further business before the Council. A motion to adjourn was made by Joseph Contarino at 10:25 a.m. Michael Ruggeri seconded the motion. All members voted in favor.

The next meeting of the State Apprenticeship Council is scheduled for Tuesday, April 26, 2005 at 9:30 a.m. in Building 70, second floor conference room, Cranston, RI.