

March 18, 2016

General Information for L&I Committee Hearing (3-22-16)

Mike Schurr & Terry Graboyes –

Members of the PA State Apprenticeship and Training Council

1. In terms of House Bills Senate Bill 280 (Folmer) and Senate Bill 761 (Smucker) which both elude to Pennsylvania currently not being in full compliance with U.S. DOL Apprenticeship Regulations:
 - a. We find these claims to be false. It has been our understanding that in 2008 when these federal regulations were released, Pennsylvania worked with the Federal Department of Labor to obtain a waiver to allow the state to maintain the system it has had in place since 1961.
 - b. It is our understanding that Pennsylvania was the first of 26 or 27 states to receive this waiver, the majority, if not all, of which still remain in place today.
 - c. The waiver had no expiration date to it, which means the state is in full compliance with federal regulations and to our knowledge the state is no jeopardy of losing any of the rights or services, including workforce dollars, the federal DOL offers.

2. It is our fear, and has been for some time, that if either of the two Senate Bills referenced above (280 & 761) were to be passed, the current model of the apprenticeship system in Pennsylvania, which works so well, would become political instead of one that designed to work for the trainees of the system.
 - a. Currently the State Apprenticeship and Training Council is made up of “volunteers” who represent employees, employers, and the public. Since 1961 that Council has operated in the best interest of those individuals seeking to sponsor an apprenticeship program and or those individuals inside those programs; the apprentices themselves.
 - b. The Council has always had a fair mix of joint / union and open / non-union program representatives and public members who seek to advance apprenticeship in a fair bi-partisan manner; regardless of their personal feelings.

- c. These Senate Bills (280 & 761) are seeking to eliminate the Council, except in one case where it would act in an advisory capacity, and put the power of entire apprenticeship system of the state in the hands of one individual who would be a political appointee of a Governor.
 - i. We believe this is a dangerous proposition as it puts too much control in the hands of one person who could be placed into a position with literally no background in apprenticeship training, administration of an apprenticeship program, utilization of an apprenticeship program, and familiarization with apprenticeship standards and regulations.
 - ii. The current system allows for Council members to be chosen for their expertise in the field of apprenticeship; at least in terms of the representatives from the employers and employees.

- 3. There has been much talk over the past few years regarding programs being able to use program approvals from other states and coming to Pennsylvania, with the various standards approvals from those states, to gain advantages on work projects; essentially putting Pennsylvania Companies at a disadvantage because of these standards conditions.
 - a. The one we have heard the most about is apprentice ratio's. Currently Pennsylvania has a ratio of 4:1 – meaning there should be a four journeyworkers for everyone one apprentice.
 - i. The argument we have heard is that since a state like Maryland has a ratio of 1:1 (one apprentice for every one journeyworker) than a sponsor can get their program approved in Maryland, and because of reciprocity rules, come to Pennsylvania bid a job using that ration and get it because they have a cheaper work crew make up.
 - ii. It is our understanding that this is completely false. Although reciprocity rules do exist and Pennsylvania would recognize a program registered in Maryland, that program would have to adhere to Pennsylvania's standards when working in Pennsylvania.
 - iii. This has been proven time and time again when raised at the Apprentice Council in the past 10-12 years and subsequently ratio reductions have

been voted against and denied – and that is with both open shop and union representation on the Council.

4. Lastly, and to reiterate, the experience level, as to knowledge of apprentice training, of people that make up the current apprentice Council could equal well over 100-150 years. Why someone would want to remove that structure and replace it with one individual that could conceivably have no knowledge of apprentice, is a mystery to us.
 - a. With that said, we deep oppose both Senate Bill 280 and Senate Bill 761 and hope to keep the current structure of the PA State Apprentice and Training Council intact.

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Graboyes Commercial Window

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