

State Apprenticeship Advisory Council (SAAC) Meeting Minutes
October 31, 2023, at 10:30 a.m. (Eastern Standard Time)
Virtual Webinar

The meeting was called to order by chairperson-designee, Kathleen Taylor, Bureau Chief, Division of Career and Adult Education, Florida Department of Education (FDOE). The SAAC members and attendees were welcomed, the Pledge of Allegiance was recited, and roll call was taken. SAAC Members present at the meeting were Kirk Barras, David McCraw, Lee Middleton, Karen Nichols, Steve Cona III, Marcelo Dossantos, Natasha Sherwood, Robert Tidwell, Dr. Eric Kennedy and the Honorable Kathryn Starkey. Ex-officio members present were Kathleen Taylor and Kathryn Wheeler. A quorum was present.

Chief Taylor delivered opening remarks to the SAAC and introduced Director Wheeler.

Director Wheeler talked about ratios in apprenticeship. She explained that the FDOE is considering changes to the current ratios in rule. While no changes have been proposed, FDOE is seeking information and comment from the SAAC. One of the key components of Registered Apprenticeship is the structured on-the-job training (OJT) that apprentices receive from an experienced mentor or journeyworker.

Ratios are intended to protect the safety of the apprentice and journeyworker, while fostering a culture of mentorship that is fundamental to the Registered Apprenticeship Model. She outlined the requirements set forth in Title 29 Code of Federal Regulations (CFR), section 29.5(b)(7) and the current requirements outlined in 6A-23.004(2)(g), Florida Administrative Code. Director Wheeler displayed a table of what the current 1:1, subsequent 2:3 ratio that is required for construction-related occupations looks like when followed by a company employing up to fifteen journeyworkers. Challenges with the current ratio were identified that include the following:

- Registered Apprenticeship is expanding in both traditional and non-traditional industries, and this is not considered in the rule as currently written.
- The current ratio is not conducive to newly apprenticeable construction-related occupations, such as construction manager.
- For all occupations outside of construction, a variance to the 1:1; 2:3 ratio may be requested. This adds an unnecessary layer of bureaucracy.
- The current ratio causes confusion in the field.
- The employer's ability to meet workforce goals is limited.
- Florida's ability to compete with other states is limited.

Director Wheeler explained that other State Apprenticeship Agencies have been allowing for 1:1 ratios in construction. These include Alabama, Arizona, California, Connecticut, Guam, Kentucky, Maryland, North Carolina, New Hampshire, Puerto Rico and Wisconsin. She also commented that Georgia, an Office of Apprenticeship State, also allows for 1:1 ratios in construction programs.

Director Wheeler outlined the following ratios for consideration:

1. For **construction-related programs** and participating employers in each apprenticeable occupation, a maximum of one (1) apprentice to one (1) journeyworker must be adhered to.
2. For **non-construction related program occupations** and participating employers in each apprenticeable occupation, a ratio of one (1) apprentice to one (1) journeyworker must be adhered to, unless an expanded ratio of more than one apprentice to one journeyworker is requested and approved by the Department. Requests must demonstrate that the expanded ratio poses little or no risk to the safety of apprentices and journeyworkers in the workplace.

Chief Taylor facilitated a discussion on the items for consideration. Council members provided feedback regarding the construction-related ratio:

- Ms. Sherwood commented that from a construction-related program, she is in favor of the change to a 1:1 ratio. Electricians are retiring. A 1:1 ratio would enable programs to rebuild ranks. The 2:3 ratio is prohibitive to growth. She stated that safety is number one in her classes and could still be maintained. Moving to 1:1 would allow for more apprentices to be hired and get more people on the job.
- Mr. McCraw stated that he has concerns about safety in moving to 1:1 and is in favor of keeping the current construction ratio.
- Commissioner Starkey reacted positively to the potential change.
- Mr. Cona, III confirmed that ABC is in favor of a 1:1 construction ratio. ABC has a severe labor shortage and would like to do whatever can be done to get people into the occupations. From an industry standpoint, one would need to be OSHA 10 or OSHA 30 certified to be on site, so he did not have safety concerns with going to 1:1.
- Mr. Tidwell concurred with Mr. Cona, stating that he is in favor of 1:1, or even 2:1 to help replenish ranks. He did not think that apprentices and journeyworkers would be unsafe, since they are adults and not children.
- Mr. Barras stated that he is concerned with the safety of apprentices. He understands the need to rebuild ranks, but at what cost? Mr. Barras stated that he is in favor of leaving the ratio as is or moving to 1:2. The 1:1 ratio is asking a lot of someone on a large construction project.
- Ms. Nichols stated that safety needs to be a priority when and if a change is made. She also provided that this change would not affect the ability to get applicants in the door.
- Mr. Dossantos said that it is common in the manufacturing industry to have an expanded ratio of 2:1 or 3:1, and he agrees with the change to 1:1 for construction. For group sponsors with multiple employers, each participating employer could be required to provide proof of safety training to use an expanded ratio.
- Mr. Middleton stated that he was torn. He expressed the need to ensure safety, concerns for the contractor having so many people under one person. He also expressed concern

that with such worker shortages, there may be instances in which there are more than one apprentice per journeyworker.

- Mr. Kennedy stated that with many occupations requiring 4,000 to 8,000 hours, by the time the apprentice gets to the 4th year, they are safe because they have had OSHA training.
- Director Wheeler clarified that the item for consideration was for a maximum of one apprentice per journeyworker. Programs wanting more stringent ratios would not be prohibited from doing so.

Regarding the non-construction related program occupations:

- Ms. Sherwood stated that while she does not represent “non-construction”, she sees the benefit of the proposed change to growing occupations.
- Mr. McCraw stated that he had no opinion on the non-construction related ratio.
- Mr. Kennedy recommended that industry-specific input on ratios could be obtained through a study group conducted by CareerSource Florida.
- Ms. Sherwood stated that she would be happy to reach out to Florida Apprenticeship Association (FAA) membership consisting of Registered Apprenticeship Program sponsors for input on non-construction ratios or reach out the FDOE Office of Apprenticeship, as this route would be quicker and more readily available.
- Mr. Dossantos stated that he is willing to reach out to membership regarding manufacturing ratios and confirmed that a response from FDOE would be quicker than conducting a study group.
- Ms. Nichols stated that it would be best to get the information in-house, rather than going outside of Registered Apprenticeship.
- Mr. Barras stated that Registered Apprenticeship Programs are industry-driven and have their own industry advisory panels. He recommended against involving CareerSource Florida in the study recommended by Mr. Kennedy.
- Mr. Cona, III reminded the group that there are a lot of companies outside of the Registered Apprenticeship Model training employees. Moving to a 1:1 ratio would make the Registered Apprenticeship Model more competitive. The more trainees that we can get into Registered Apprenticeship, the better they will be trained and instructed with safety being accommodated.
- Commissioner Starkey stated that she one hundred percent agrees with Mr. Cona.
- Mr. Tidwell stated that he had heard of 17:1 ratios in IT occurring, and that this is excessive. However, if there is no risk of safety, a journeyworker can easily supervise several people.
- Director Wheeler clarified that a 17:1 ratio would never be approved for standards of apprenticeship, and if discovered during a compliance review, would result in a finding with corrective action required.

Chief Taylor opened the floor for public comment. The following attendees commented:

- Jonathan Tavaréz indicated that he had questions on participating in apprenticeship programs more than once.
 - Chief Taylor asked Mr. Tavaréz to call the FDOE for technical assistance.
- Kimberly Johnson asked if there would be any consideration in expanding the ratio for Behavior Healthcare workers, for example, 5 Apprentices to 1 Journeyworker.
 - Director Wheeler responded that that is something that could be requested currently.
- Richard Shawbell commented that the SAAC should keep the ratios for construction-related programs as-is to respect the safety of the apprentice.
- Lynette Barcewicz stated that she agrees with providing more flexibility to employers to determine appropriate ratios in collaboration with the FDOE.
- Ruth Tirado commended the Florida Department of Education, Apprenticeship Division and the SAAC for the consideration of the Ratio of Journeymen to Apprentice 1 to 1 in construction. She has administered Apprenticeship Programs for over 20 years.
- Richard Norman commented that Pennsylvania has a ratio of 1 apprentice to 1 to 4 journeyworkers, 2nd apprentice to 5th through 9th journeyworker. The Fitzgerald Act states, "promote the furtherance of labor standards necessary to safeguard the welfare of apprentices".
- Megan Oates commented that as an apprenticeship coordinator of a small childcare program, it is hard to apply for the grants that have been offered. It is difficult to write the grants that seem to be tailored to large programs with a grant writer on staff or available to hire. She asked if these could be designed for equitable access to all.
- Richard Norman asked how the non-construction request for variance will reduce bureaucracy.
 - Director Wheeler replied that as currently written, if someone wants to request a 1:1 ratio, they must submit a letter requesting a variance.
- Kevin Willis commented on being mindful of 29 CFR Part 29.5 (b)(7) as to the ratio.

Chief Taylor informed the SAAC that FDOE will schedule the next meeting to be held sometime in February, and that the Annual Apprenticeship Report is now available.

Chief Taylor adjourned the meeting.