

## **Testimony of the International Brotherhood of Electrical Workers**

### **Labor and Public Employees Committee Public Hearing**

**Tuesday March 11, 2014**

Senator Holder-Winfield, Representative Tercyak, and members of the Labor Committee, my name is Paul Costello, Director of Apprenticeship and Training for the International Brotherhood of Electrical Workers and National Electrical Contractors Association Joint Apprenticeship Training Committee. I am here to express our opposition of House Bill 5454, An Act Concerning Apprenticeship Ratios.

The intent of the Bill is to increase the number of apprentices an employer may hire, and while this may sound good, apprenticeship is not just about hiring new employees at low wages. In order for an apprentice to get the skills, knowledge, and abilities required to learn the trade they must complete a required number of related classroom instructional hours and required on the job training hours under direct supervision. Changing the hiring ratio could lead to additional apprentices showing up to a jobsite and not having the proper supervision because their journey person is not there.

The apprenticeship ratio issue has been in front of this Committee and others a number of times over the years. I first spoke in opposition on HB 5621 in 2006 and again in 2007 on HB 5033 and HB 5146. Each of these did not have the support of the Department of Labor, and neither does HB 5454 this year. The Department of Labor did set up a workgroup in 2009 to investigate the need to change the apprenticeship ratio because of these concerns with the ratio. The workgroup was well balanced with representatives on both sides of the issue representing the construction industry. It was through their hard work and findings that the ratio for plumbers was changed to match the ratio for electricians. The hiring ratio for all trades that we have today was the result of their findings.

There are case by case instances when a contractor may need a modification of the hiring ratio because of the current market. It is because of these changes that a sponsor of an apprenticeship program may request relief. The Department of Labor has a simple application for a sponsor to complete. The questionnaire focuses on the sponsor's apprenticeship completion record, business related violations, violations of licensing laws, any OSHA violations, and compliance with other agencies. A copy of the application is attached.

A few sponsors should not try to change the criteria; when they cannot meet the criteria. A recent call to the Department of Labor cited the following information: There are over 1,500 approved sponsors in the construction trades training apprentices. There have been very few requests for ratio relief. To date there were sixty five companies that requested ratio relief on eighty occasions. Fifty five were given the full relief they requested, eighteen were granted partial relief, and seven were denied due to noncompliance issues. Ratio relief was granted ninety one percent of the time. More than ninety six percent of the 1,500 sponsors train under the current ratio without the need for relief. The system works.

In construction, conditions on jobsites change constantly, manpower needs shift during the workday. Some of the factors that are encountered are delays, weather conditions, and illnesses any of these variables may lower the amount of journeypersons that the apprentices work with. The potential to have more apprentices on a jobsite working together unsupervised would increase if there were not a ratio in effect. This is not a safe working condition; it does not provide an apprentice the opportunity to learn his or her trade properly.

Connecticut's own State Representative William Fitzgerald serving in the 1930's known as the father of the modern National Apprenticeship was quoted as saying "Vocational training is an important way to give young people an opportunity to better themselves". We should keep the to the intent of that quote. We should not exploit young workers as cheap labor but train them properly with the skills to learn a craft and make a good living safely.

I urge you to oppose House Bill 5454, An Act Concerning Apprenticeship Ratios and encourage you to attend the Apprenticeship Awareness breakfast at the Capitol next Monday March 17, 2014, honoring apprentices and those that have help provide the skills, knowledge, and abilities of workers through apprenticeship. The walls of the concourse will be covered with photos showcasing Connecticut's apprenticeship programs and those whose lives are changed for the better through an apprenticeship. Meet the sponsors of apprenticeship programs and hear their success stories.

Respectfully,

A handwritten signature in cursive script that reads "Paul Costello".

Paul Costello  
JATC Director

CONNECTICUT DEPARTMENT OF LABOR APPLICATION FOR APPRENTICESHIP RATIO RELIEF

www.ctapprenticeship.com

**GENERAL INFORMATION**

1. Name of Firm/Sponsor \_\_\_\_\_ Trade \_\_\_\_\_  
 dba Name, if any \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Zip \_\_\_\_\_  
 Actual Location \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
 City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_
2. Type of Firm (Check only one)     Corporation     Partnership     Proprietorship     Joint Venture     LLC
3. How many years has the firm been in business? \_\_\_\_\_ Under the same name? \_\_\_\_\_ Program Approval Date: \_\_\_\_\_
4. Number of previous requests for ratio relief within the past five years: \_\_\_\_\_
5. Within the past five years has the firm, any affiliate, (including any contractor of record) any predecessor company or entity, owner of 5.0% or more of the firm's shares, director, officer, partner, or proprietor been the subject of: (Check any that apply and explain under sponsor remarks. It is imperative that a full explanation of the circumstances relating to a "yes" statement be submitted to ensure an objective evaluation by the Department. Attach additional pages if necessary.)
  - None of the following are applicable (5A through 5N)
  - yes  no A. A judgement or conviction of any business related conduct constituting a crime under state or federal law?
  - yes  no B. A currently pending indictment for any business-related conduct constituting a crime under state or federal law?
  - yes  no C. A grant of immunity for any business-related conduct constituting a crime under state or federal law or regulation?
  - yes  no D. Any final determination of a violation of any federal labor law or regulation?
  - yes  no E. Any OSHA violation that was categorized as willful, repeat, failure to abate, or was based on retaliating against an employee for filing a safety or health complaint?
  - yes  no F. Any final determination of a violation of any state labor law or regulation?  
 Public work violation?     yes  no    Was this violation willful?     yes  no
  - yes  no G. A consent order with the Connecticut Department of Environmental Protection, or a federal or state enforcement determination involving a construction-related violation of federal or state environmental laws?
  - yes  no H. A debarment from federal contracts for violation of the Davis-Bacon Act, 49 Stat. 101(1931), 40 USC 276a-2?
  - yes  no I. A debarment from state contracts for violation of Connecticut's prevailing wage law pursuant to Conn. Gen. Stat. Section 31-53a?
  - yes  no J. A debarment or suspension for violation of any other state prevailing wage law?
  - yes  no K. Rejection of any bid or proposed subcontract or general contract for lack of responsibility pursuant to state law?
  - yes  no L. Any final determination of a violation of any state occupational licensing statute or regulation?
  - yes  no M. A consent order entered into with the Connecticut Department of Consumer Protection or any other state or federal government agency?
  - yes  no N. Any pending enforcement proceeding by a federal, state or municipal agency regarding an alleged violation of the law?
  - yes  no O. Are all current apprentices attending related instruction (if required)?
  - yes  no P. Does firm have an active Job Order with the Department for Journeypersons?  
 For Apprentices?     yes  no

SPONSOR \_\_\_\_\_ TRADE \_\_\_\_\_  
(One trade per application)

CURRENT NUMBER OF JOURNEYPERSONS EMPLOYED \_\_\_\_\_

CURRENT NUMBER OF APPRENTICES REGISTERED \_\_\_\_\_

CURRENT NUMBER OF APPRENTICES (STATUS)

YEAR 1 \_\_\_\_\_ YEAR 2 \_\_\_\_\_ YEAR 3 \_\_\_\_\_ YEAR 4 \_\_\_\_\_ YEAR 5 \_\_\_\_\_ YEAR 6 \_\_\_\_\_

NUMBER OF APPRENTICES RATIO RELIEF IS REQUESTED FOR? \_\_\_\_\_ TRADE \_\_\_\_\_

Is this request for a CT Technical High School graduate?  Yes  No

Is this request for a CWE pre-apprentice student?  Yes  No

CUMULATIVE APPRENTICESHIP RECORD (based on previous five years)

Registered \_\_\_\_\_ \*Completed \_\_\_\_\_

\*Completed is defined as those individuals who have been awarded a certificate of completion and are now considered Journeypersons per the Regulations of Connecticut State Agencies, Sec. 31-51d-2(h).

APPRENTICE STARTING (WAGE) RATE \$ \_\_\_\_\_ or \_\_\_\_\_ %

JOURNEYPERSON COMPLETION (WAGE) RATE \$ \_\_\_\_\_

TOTAL NUMBER OF JOURNEYPERSONS TERMINATED IN THE PAST FIVE YEARS? \_\_\_\_\_

TOTAL NUMBER OF APPRENTICES TERMINATED IN THE PAST FIVE YEARS? \_\_\_\_\_

TERMINATION DATA (based on previous five years)

<u>TERMINATION CODES</u>	<u>NUMBER OF APPRENTICES TERMINATED</u>
1. Discharged/Released	_____
2. Left to accept related employment	_____
3. Left to accept other employment	_____
4. Unsatisfactory Performance	_____
5. Lack of work	_____
6. Entered military service	_____
7. Illness/death	_____
8. Voluntarily quit	_____
9. Probationary period – discharge/voluntary quit	_____
Total	_____

SPONSOR REMARKS (Reason for request, attach additional sheet if necessary):

CERTIFICATION: The undersigned acknowledges that this questionnaire is submitted for the express purpose of inducing the Connecticut Labor Department to authorize the hiring of apprentices in a certain ratio to journeypersons under its state apprenticeship program pursuant to Section 31-51d-5(l) of the Regulations of Connecticut State Agencies. Applicant acknowledges that the Department may, in its discretion, determine the truth and accuracy of all statements made herein. Applicant further acknowledges that intentional submission of false or misleading information in this application may constitute reasonable cause for institution of a formal de-registration proceeding against applicant's apprenticeship program pursuant to Section 31-51d-7 of the Regulations of Connecticut State Agencies. Applicant states and certifies under penalty of law (Conn. Gen. Stat. Section 53a-175 Class A Misdemeanor) that the information submitted in this questionnaire and any attached pages is true, to the best of his or her knowledge.

Signature of Officer	Date	Signature of Contractor of Record
Printed or Typed Name of Officer	Title	Printed or Typed Name of Contractor of Record

Please return to:

Connecticut Dept. of Labor  
 Office of Apprenticeship Training  
 200 Folly Brook Boulevard  
 Wethersfield, CT 06109

For Office Use Only			
Date Received: _____		Reviewed & Verified by: _____	
Date Received CO: _____		Initials: _____	
Recommended: <input type="checkbox"/> Yes <input type="checkbox"/> No		Initials: _____	
<b>SAC Subcommittee Recommendation</b>			
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Partial	
If no, explain _____		Initials _____	
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Partial	
If no, explain _____		Initials _____	
<input type="checkbox"/> Approved	<input type="checkbox"/> Partial Approval for: _____	<input type="checkbox"/> Denied	
Signature: _____		Commissioner	
The Connecticut Department of Labor			