

**Department of Workforce Development
Division of Workforce Solutions
Hearing Summary**

Proposed Rules Relating to Enforcement of Indenture Agreements

**Chapter DWD 295
CR07-010**

A public hearing was held in Madison on February 28, 2007.

Commenting in support of the rule:

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| 1. John Cook, Training Director
NECA-IBEW Electrical Apprenticeship
Madison | 2. John Mielke, Vice President
ABC of Wisconsin
Madison |
| 3. Scott A. Hamilton, Training Director
Plumbers Local 75 Education Fund
Milwaukee | 4. Chuck Bender
Tri City Glass & Door
Appleton |

Registering in support of the rule:

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| 5. Luman J. Eggleston, Jr., Business Agent
Electrical Workers Union Local 159
Madison | 6. Steve Breitlow, Business Manager
Plumbers Local 75
Milwaukee |
| 7. Mark Reihl, Executive Director
Wisconsin State Council of Carpenters
Madison | 8. Michael Pohlman, President/Member
Nickles Electric
Joint Apprenticeship Training Committee
Deerfield |
| 9. Cindy Anderson, Apprenticeship Coordinator
Wisconsin Laborers
Deforest | 10. Kelly Tourdot, Apprenticeship Director
ABC of Wisconsin
Madison |
| 11. John Wagner, Member
IBEW Local 159
Joint Apprenticeship Training Committee
McFarland | |

Observing for information only:

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| Mary C. Harrington
U.S. Department of Labor Office of Apprenticeship
Madison | James F. Miller, Business Agent
Operative Plasterers' and Cement Masons'
International Association 599
Madison |
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There were no comments or registrations against the proposed rule.

Summary of comments

John Cook, NECA-IBEW

I support the proposed changes to the appeal procedures. The changes are aimed directed at the primary weakness of the existing system: undue delay. In a least a dozen cases in which our Joint Apprenticeship Committees have been involved over the past 5 years, the time expended by DWD in making the final determination on the cancellation of an apprentice has exceeded 6 months, and in some cases, over one year. When an appeal takes that long to resolve all parties to the contract are adversely and needlessly impacted.

During the unnecessarily lengthy appeal process, the apprentice remains in the program but is not granted advancement. The apprenticeship committees and employers incur increased costs in providing employment and monitoring problematic apprentices. These are apprentices who miss work, miss school, are rankly insubordinate, and have exhausted a multitude of options and strategies laid out for them.

The proposed changes will facilitate timely resolution of appeals without sacrificing the rights and privileges of any of the parties to the apprenticeship contract.

John Mielke, ABC of Wisconsin

ABC of Wisconsin currently trains more than 1,200 apprentices in 15 different trades. We have professional staff working with many volunteers dedicated to providing a quality education and committed to seeing apprentices graduate. However, there are times when it becomes necessary to end an apprentice contract and the process for cancellation must be timely without sacrificing due process.

The proposed rules are the product of a collaborative effort by which employers, employee representatives, and state regulators worked together to streamline the cancellation process while protecting the rights of the apprentice. For Wisconsin's apprenticeship program to remain viable it must continue to improve and modernize. These rules are a step in that direction.

Scott Hamilton, Plumbers Local 75 Education Fund and JAC in Milwaukee and Madison

We approve the proposed changes to the cancellation procedure. The change will help eliminate the very lengthy time frame of the current procedure while still maintaining the individual's rights and the integrity of the apprenticeship program.

Chuck Bender, Tri City Glass & Door

The proposed change will streamline the process and yield same end result. In my opinion it is fair to the apprentice and the employer.