

DEPARTMENT OF INDUSTRIAL RELATIONS

Office of the Director

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AB 547 Advisory Committee
DRAFT – MINUTES OF MEETING
Thursday, September 28, 2023
 Via Video/Audio Conference

In Attendance:**DIR:**

Deanna Ping, *DIR Chief Deputy Director*
 Sulma Guzman, *Legislative and Regulatory Affairs, Deputy*
 Kumani Armstrong, *Special Counsel*
 Zakiya Ali, *DLSE*
 Dave Gurley, *DLSE*
 Melinda Davis, *DLSE*
 Marie Ertle-Reich, *Director's Office*
 Patricia Salazar, *DLSE*
 Sotivear Sim, *DLSE*

Committee Members:

Yardenna Aaron, *MCTF*
 Anabella Aguirre, *Ya Basta*
 Sandra Barreiro, *SEIU*
 Chris Bouvier, *ABM Industries Inc*
 Julia Cepeda, *Ya Basta*
 Alejandra Domenzain *UCB LOHP*
 Corecia Davis, *SBM Management*

Rashida Green, *ABM Industries Inc.*
 Andrew Gross Gaitan, *SEIU USWW*
 Beatriz Guillen, *MCTF*
 Marlene Herrera
 David Hernandez, *Servicon Systems, Inc.*
 Sandra Henriquez, *Valor*
 Davis Karishia, *SBM*
 Laura Medina, *BSP*
 Marie Nieto, *MCTF*
 Janice Periolat, *SBM management*
 Antonio Ruiz, *SEIU West*
 Luis Sandoval, *BSP*
 Maricela Salinas, *MCTF*
 Jessica Stender, *Equal Rights Advocates*
 Allejandra Valles, *USWW*
 Denise Velasco, *MCTF*
 Laura Zwick, *ABM Industries Inc.*

Interpreters:

Valentina Jimenez, *DIR Interpreter*

I. Approval of Minutes

- **Motion:** Approval of the minutes from the April 24, 2023 meeting
- **Vote:** David Hernandez motioned to approve the minutes from the April 24, 2023 meeting. Andrew Gross Gaitan seconded.

II. Review and Discussion of the Qualified Organization Application

- Recap of last meeting events:
 - At last meeting, committee discussed revised implementation timeline
 - May 2023: LCO finalizes and posts the QOAF and Appendix.
 - May 12, 2023: update LCO website to announce the application process.
 - June 1 – July 31, 2023: LCO accepts QOAFs and supporting documents for the

- first round of applicants.
 - August 18, 2023: LCO review and redaction.
 - August 18, 2023: LCO prepares list of applicants
 - August 18, 2023: the list is sent to DIR; DIR sends the list, applications and redacted documents to the JAC.
 - Schedule JAC recommendation meetings for Qualified Organization no later than September 30, 2023. (We are here)
 - TBD: First set of QOs approved and posted on LCO website.
- Application materials posted online, consisting of 39 documents. Only one application received. LCO and DIR reviewed and redacted it for public sharing.
 - Goals today:
 - Discuss how application will be reviewed.
 - Address potential conflict of interest: Application pending is from Luis Santo's Organization. Kumani Armstrong will address next steps.
 - LCO will answer any questions the committee has.
 - Committee will issue recommendation to the Director on the application.
- Kumani Armstrong Addresses Conflict of Interest issue mentioned earlier: Issues must be re-discussed to ensure transparency and fairness.
 - Board Members not precluded from discussing advisory committee matters regarding the Janitorial Industry.
 - However, three scenarios/categories identified where disclosure and recusal may become necessary.
 - Direct Financial Relationship. (affects their own unique financial interest in a way that is different from the rest of the industry)
 - Employment Relationship.
 - If the Committee members themselves are applicants.
 - Topic opened up for questions:
 - Sandra Henriquez asks about the plausibility of a committee member being able to participate in the discussion but not the vote. Kumani says it could happen.
 - Sandra later clarified that she asked because her organization supports Ya Basta, providing training resources
 - Kumani asks if there are any other situations Committee feels should warrant disclosure or recusal, such as peer trainers:
 - Sandra discloses the connection mentioned above
 - Jessica Stender asks if the topic at hand is about a specific conflict, or if it is a call for people to raise potential conflicts. Kumani says the latter.
 - Chris Bouvier asks about the relationship between SEIU and Ya Basta. Antonio Ruiz seeks clarification, and Chris asked if there is a relationship between the trainers who will do the training and USWW, and between Building Skills Partnership. Antonio says that yes, USWW has a relationship between the entities, albeit not a financial one. Some of the trainers have been previously represented by USWW.
 - Chris expressed concern about crossover of employees of USWW employees and the peer trainers. Antonio was unaware of any such relationship. Andrew affirmed its unlikelihood
 - Kumani asked the committee again for agreement on criteria for disclosure and recusal from voting on recommendations. Alejandra recapped her understanding of past discussions. Andrew asked about three entities flagged for recusal: BSP,

Ya Basta, and Valor, and if there were any other entities flagged.

- Antonio objected to the flagging of these entities, saying that there was sufficient distance from committee to not warrant recusal for USWW or partnered employers connected to the programs. No reply from the others.
- Voting Rules: Committee overwhelmingly agreed via informal consensus that it would be one vote per organization.
- Final vote recusal agreement: Ya Basta, BSP, and Valor(?) will abstain from the vote on the approval of the present application. Representatives of all orgs confirmed.
- Review and discussion of application. Patricia Salazar became available to answer questions about BSP's application: All committee members who spoke expressed their support for the application and praised its comprehensiveness.

III. Committee Recommendation Vote on whether to recommend BSP application to the Director

- Vote: (One per organization)
 - MCTF: Yes
 - SEIU State Council: Yes
 - ABM industries: Yes
 - DMS Facilities Services: [not present]
 - UC Berkeley LOHP Yes.
 - Servicon Systems: Yes
 - Equal Rights Advocates: Yes
 - SEIU USWW: Yes
 - SBM Management: Yes
- Committee has voted for the recommendation of BSP's application to become a qualified organization trainer.

IV. Public Comment

- Several members of the public, as well as committee, commented to express their approval of the proceedings, and offer thanks to other committee members, the department.
- Sulma Guzman jumped in to encourage other organizations to apply.

V. Meeting Adjourned