



Labor Management Consultants  
Joint Administrative Committee  
BART PSA for OAC  
**Draft Meeting Minutes**  
August 19, 2014

The meeting was called to order at 2:00 pm by Chairman Raburn.

1. Roll Call. Committee members Chairman Robert Raburn, Andreas Cluver, Victor Uno Andy Slivka and Andrea Lowe (by phone) were present. A complete list of attendees can be found on the attached sign in sheet.
2. Introduction of Guests.
3. Approval of Minutes. Minutes of the July 15<sup>th</sup> JAC meeting were approved without changes.
4. Tracking and Reporting: OAC Local Hiring Component of the Project Stabilization Agreement. For discussion

Member Andrea Lowe with A Squared Ventures reported that more than 699,157 construction hours had been compiled through the end of July 2014. Work on the project is diminishing with approximately 5,000 hours worked in July. From a peak of 60 contractors on site, the project has about 15 subcontractors. The anticipated substantial completion is expected about November/December 2014.

70.78% of hours worked were worked by residents of the BART service area, slightly higher from last report. The project continues to be in compliance with several of the project goals. Through the end of July 2014, the project local impact area participation decreased slightly from the last report to 27.06% but still above the 25% goal. Local area apprentice participation decreased to 17.31% and is still below the 20% goal. The apprentice project local impact area percentage is exceeding the 50% goal with participation at 59.18%.

Project Stabilization Agreement goals and progress reports can be found online at: <http://bart.gov/about/projects/oac/programs.aspx>

Nancy Lowenthal gave an update on the trucking to a report. BART has handed the issue over to the Division of Standards Labor and Enforcement (DSLE).

*Uno asked for details: 2 firms, one for \$18k and \$61k.*

Andreas Cluver brought up that he understood that the settlement for the workers had been and they were being “made whole” made but now that information seems different and Andreas will review the PSA and see if the payment of workers can be handled by the grievance procedure. He opined that this date would be considered the trigger date for grievance timeline.

Nancy has reviewed the PSA and does not believe the JAC has a role in this issue and responded with review of Article 11.2. Nancy believes that the JAC can review implementation and progress of PSA but not necessarily “make the workers whole”.

5. Report on Pre-Job Meetings held during the previous month. For Discussion

A pre-job meeting was not held since the last JAC meeting.

6. Cypress Mandela report on activities in support of local workforce development, placement and retention. For Discussion.

Eric Shanks from Cypress Mandela Training Center (Cypress) presented a report which can be found at <http://bart.gov/about/projects/oac/programs.aspx>.

As an aside, Cypress Mandela has a graduation scheduled for this Thursday. Three of this Thursday’s 37 graduates have already joined trades.

7. Disbursement of Project Stabilization Agreement grant funds. For discussion.

It was reported a balance of \$31,834.11 in the bank account. There was a brief discussion on how the remaining funds could be distributed in the following manner: increasing the quarterly invoice from \$6,250 to \$12,000 and second quarterly invoice for \$12,000 and the third invoice will be \$6,250 plus remaining collected balance An actionable agenda item be added to next meeting on how to distribute the remaining funds.

8. Public Comment.

Add to agenda a discussion of acknowledging contractors who have performed well in the area of local hiring and affected workers

Construction milestone was made a few weeks ago where all four cables were working from the wheel house.

Also, BART has been able to secure a reduced rate for airport workers and Port workers.

9. Next meeting: The next meeting is scheduled for September 16<sup>th</sup> or October 21<sup>st</sup> at 2:00PM.

10. Adjournment: Meeting adjourned at 3:00pm.

Respectfully submitted,  
Jake Sloan