

# DISCA

NEW JERSEY

Drywall & Interior Systems Contractors Association



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## Executive Director



William J. Umbach, Jr.

August 23, 2019

Patrick Pizzella

Acting Secretary of Labor

United States Department of Labor

200 Constitution Avenue NW

Washington, D.C. 20210

**Dear Acting Secretary Pizzella,**

I am writing on behalf of the Drywall and Interior Systems Contractors Association of New Jersey; a Regional Affiliate Member of SWACCA, the Signatory Wall and Ceiling Contractors Alliance. Our association provides a platform where union interior systems contractors, along with their suppliers and manufacturers, can share their collective experiences, talents, and knowledge to help develop, promote and improve the industry. We currently have 40 contractor members who employ over 1,000 union carpenters and drywall finishers throughout the state of New Jersey. Our union contractors ensure the job is done properly, on time, and on budget with highly skilled experienced laborers who have received state of the art training, completed apprenticeships, and have taken rigorous health and safety training.

We are extremely concerned with how the Department of Labor's Employment and Training Administration's proposed rule to establish a process for recognizing "Standards Recognition Entities" (SREs) could impact the construction industry. This proposed rule, which will certify "Industry Recognized Apprenticeship Programs" (IRAPs), would ultimately shift the jurisdiction to accept or reject apprenticeship programs from a federal agency to industry SREs with minimal oversight.

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Current Registered Apprenticeship Programs go through a rigorous review process by either the Department of Labor or a state agency and have strict oversight. Including the construction industry in the IRAP would result in loosely regulated programs for construction without robust safety and training standards.

Furthermore, upon review of the proposed rule, the department needs to ensure that loopholes are closed to avoid the misuse or challenge of the spirit and intent of the rule. The criteria for recognizing an apprentice program is loosely defined. There are no requirements for education and safety training, no graduation or completion requirements, and most concerning, no direct DOL oversight. It is, therefore, imperative to have an effective enforcement mechanism to ensure SREs and Industry Programs are operated in compliance with the regulations. The opportunity to file a complaint against an SRE should be extended to provide that a complaint may be filed within 60 days of the complainant acquiring knowledge of the circumstances giving rise to the complaint. This same process needs to exist when issues are discovered with individual Industry Programs that an SRE has approved. Industry Programs should provide written notice to apprentices of what wages they will receive upon completion of their apprenticeship and under what circumstances their wages will increase. Additionally, Industry Programs should be required to comply with the requirements of 29 CFR Part 30 to ensure equal opportunity for participation in those programs and to protect applicants and apprentices from discrimination.

Registered Apprentice Programs are already functioning and substantially widespread in the construction industry. Our members value these programs because the curriculum has been designed over the years by industry experts with oversight from relevant federal agencies and are considered the gold standard. Developing a new and untested parallel training model in the construction industry is unnecessary and duplicative, and would result in fragmented standards which undermine a privately funded system that already works. IRAPs do not require the same quality of instruction, pay scales, or journeyperson graduation rates as current union apprenticeship programs. If IRAPs enter the construction industry, they will undercut every quality apprenticeship program in the United States resulting in more work for untrained, unsafe, lower waged apprentices who work for non-signatory contractors and should therefore be permanently excluded from the construction industry.

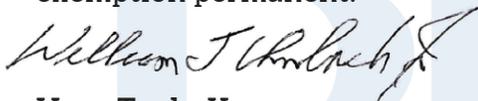
In summary, registered union apprenticeship programs are the optimum way to prepare people for a career in the construction industry. Current registered apprentices have proven

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their skills and the apprenticeship's effectiveness on our jobsites and in our shops. Our apprentices earn a good salary while learning our trade - a salary that increases as their skills and knowledge increase. They pay little to no tuition or fees, receive books and other educational material free of charge. In addition, they learn from instructors who have hands-on experience in the construction trades; and when they graduate, they have the necessary skills to forge a safe and lucrative career. Extending the IRAP to the construction industry neither serves the intent nor purpose of why IRAPs are being established: to provide more affordable pathways to secure, high-paying jobs. Government funding to support apprenticeships should be restricted to industries in which substantial investments have not already been made by private industry over many years to create such programs.

We would like to thank the Trump administration for their leadership in promoting apprenticeship programs. Many industries need such programs in order to develop a future skilled workforce. We appreciate the opportunity to provide comments on the proposed rule, and we thank you for considering our recommendation to make the IRAP construction exemption permanent.



**Very Truly Yours,**

**William J. Umbach, Jr.**  
**Executive Director**

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