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STATE APPRENTICESHIP COUNCIL

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NEVADA STATE APPRENTICESHIP COUNCIL MEETING MINUTES – AUGUST 5, 2021

1. Call to Order.

The Nevada State Apprenticeship Council (SAC) meeting was called to order at 9:02 a.m. by Archie Walden, Chairman of the SAC (Chairman Walden). Roll call and quorum.

2. Roll Call.

Richard Williams, State Apprenticeship Director (Director Williams), called the roll and declared a quorum present for the meeting. The meeting reconvened with a quorum present at 9:15 a.m.

3. Verification of Public Posting.

Director Williams affirmed that pursuant to Nevada Revised Statutes (NRS) section 241.020, the Nevada Open Meeting Law, that the agenda and notice for this meeting were properly posted.

4. Public Comment.

There was no public comment.

5. Approval of Minutes from May 6, 2021, meeting.

Chairman Walden presented this item. Mr. Madison Burnett (SAC Member) asked for minor corrections to the minutes. A motion to approve the minutes with the corrections was made by Mr. Randy Canale (SAC Member) and seconded by Mr. Burnett. The motion passed unanimously.

6. Assembly Bill 459 of the 81st Regular Session of the Nevada Legislature (2021) – Effective July 1, 2021, Labor Commissioner Shall Act as State Apprenticeship Agency and Shall Oversee State Apprenticeship Council and State Apprenticeship Director

Shannon Chambers, Labor Commissioner, presented this item. Assembly Bill (AB) 459 passed during the 81st Regular Session of the Nevada Legislature (2021) moved the Nevada State Apprenticeship Council to the Office of the Labor Commissioner. The Office of the Labor Commissioner is now the State Apprenticeship Agency (SAA) for the State of Nevada. Commissioner Chambers noted that the Labor Commissioner now appoints the State Apprenticeship Director, but that the SAC appointments for the voting members still remain with the Governor upon the recommendation of the Labor Commissioner.

- 7. Senate Bill 247 Regular Session of the Nevada Legislature (2021) – effective October 1, 2021 – Apprenticeship Program Requirements Providing for Time-Based Approach, Competency-Based Approach, or Hybrid Approach**

Commissioner Chambers presented this item. Senate Bill (SB) 247 passed during the 81st Session of the Nevada Legislature revised NRS section 610 (apprenticeship standards) to provide for three different types of apprenticeship programs. Apprenticeship programs can now be: (1) Time-Based; (2) Competency-Based; or (3) Hybrid. SB 247 does require construction trade apprenticeship programs to be time-based. Commissioner Chambers stated that the bill is not retroactive and takes effect October 1, 2021, Proposed standards for new apprenticeship programs and revisions to existing program standards submitted after October 1, 2021, will be reviewed by Commissioner Chambers, Director Williams, and Lleta Brown, Deputy Labor Commissioner, going forward based on the requirements of SB 247.
- 8. Senate Bill 247 Regular Session of the Nevada Legislature (2021) – effective October 1, 2021 – State Apprenticeship Council May Set Minimum Apprentice Wage**

Commissioner Chambers presented this item. Effective October 1, 2021, SB 247 now provides the authority for the SAC to set the minimum wage for apprenticeship programs. The SAC currently has the authority to set the minimum wage for apprentices in the construction industry.

Mr. Randy Canale (SAC Member) requested clarification on whether the setting of the new minimum wage would apply to existing programs. Commissioner Chambers clarified that the setting of the new minimum wage by the SAC would only apply to new programs going forward after October 1, 2021. Commissioner Chambers informed the SAC that an analysis would be conducted and information brought before the SAC at a future meeting in an agenda item to set the new minimum wage pursuant to SB 247.
- 9. Apprenticeship Standards – NRS 610 and NAC 610, and 29 Code of Federal Regulations**

Commissioner Chambers and Director Williams presented this item. A regulation package to amend Nevada Administrative Code (NAC) section 610 will be submitted to the Legislative Counsel Bureau (LCB) based on the transition of the SAC to the Office of the Labor Commissioner.

Director Williams advised the SAC that a previous NAC 610 regulation package was submitted to LCB. Commissioner Chambers informed the SAC that the regulation process typically takes 6 months to 1 year to complete, but that the COVID-19 public health emergency and 2021 Legislative Session could impact the timeline. Commissioner Chambers and Director Williams will work with the LCB and keep the SAC updated on the progress of the regulation package.
- 10. State Apprenticeship Council Goals for 2021-2023**

Commissioner Chambers provided the SAC with some proposed goals for 2021-2023. The goals are: (1) Review existing Apprenticeship Programs and Standards through upcoming reviews to take place in the upcoming year and provide information on how to maintain compliance; (2) Create and expand apprenticeship opportunities through outreach, education, and collaboration with U.S. Department of Labor and other agencies; and (3) Monitor apprenticeship utilization and continue to educate and train public bodies and contractors on the requirements of apprenticeship utilization on public works projects (NRS 338) and promote apprenticeship utilization on construction projects and in other industries.

11. Board of Regents, Nevada System of Higher Education (NSHE)

The SAC reviewed the proposal for a labor management committee submitted by NSHE. Cheryl Olson, CWDP, NSHE Apprenticeship Navigator, Director, Nevada Alliance for Youth Apprenticeship, Workforce Development and Community Colleges, appeared on behalf of NSHE. The SAC discussed the proposal and had several questions and comments about the proposal. Based on the questions and the timing of when the proposal was submitted by NSHE, Commissioner Chambers recommended that this item be tabled so that Commissioner Chambers and Director Williams could work with NSHE to address the concerns of the SAC.

Mr. Burnett made a motion to table item 11. The motion was seconded by Mr. Canale. The motion passed unanimously.

12. Potential September and/or October 2021 State Apprenticeship Council Meeting Dates and Potential Agenda Items

Commissioner Chambers and Director Williams recommended that the SAC meet again before the quarterly meeting scheduled for November 2021. The date of September 28, 2021, at 9:00 a.m. was proposed. Mr. Jeremy Newman (SAC Member) made a motion to set the next SAC meeting for September 28, 2021, at 9:00 a.m. Mr. Burnett seconded the motion. The motion passed unanimously.

13. Pausing the Enforcement of NAC 610.365

Director Williams presented this item and recommended that the existing pause on enforcing NAC section 610.365 continue. Mr. Canale made a motion to continue the existing pause on enforcing NAC section 610.365. Mr. Ryan Bellows (SAC Member) seconded the motion. The motion carried unanimously.

14. State Apprenticeship Director's Report

Director Williams provided information on the latest apprenticeship statistics. There are currently 5,689 active apprentices in the State of Nevada and 70 registered sponsors.

15. U.S. Department of Labor Report

Douglas Howell, U.S. Department of Labor, informed the SAC that even though he is now assigned to the State of California, he is still assisting the State of Nevada on apprenticeship issues. Mr. Howell noted that the U.S. Department of Labor is looking to hire a new multi-state navigator to be the point of contact for Nevada. Mr. Howell provided information on federal grant opportunities.

16. Future Agenda Items

There was no discussion on this item.

17. Public Comment

There was no public comment.

18. Adjournment.

Chairman Walden adjourned the meeting at 10:26 a.m.