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NEVADA STATE APPRENTICESHIP COUNCIL

MEETING MINUTES – February 22, 2024

Nevada State Apprenticeship Council (NSAC) members present: Chairman Archie Walden, Ryan Bellows, Madison Burnett, Mike Kennedy, Steve Ingersoll, Mandi Wilkins, Craig Statucki, Tom Burns Dana Ryan.

Also present: Malia Tatom, Toni Giddens, and David Gardner.

1. Call to Order.

Chairman Walden called the meeting to order at 9:09 AM.

2. Roll Call and Quorum.

Per direction from Chairman Walden, State Apprenticeship Director Giddens took a roll call and confirmed the presence of a quorum.

3. Verification of Public Posting.

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

4. Public Comment.

Chairman Walden called for public comment.

Hearing no comment, Chairman Walden closed the initial public comment period.

5. Approval of November 30, 2023 Minutes.

Chairman Walden asked if there was any discussion. Madison Burnett requested a correction under Agenda Item 6. Chair Walden made a motion to approve the November, 2023, meeting minutes with correction. Madison Burnett seconded. The motion carried.

6. Approval of December 20, 2023 Minutes.

Chairman Walden asked if there was any discussion. Chair Walden requested a correction under Agenda Item 5 in item line 5 and 6. Chair Walden made a motion to approve the December 20, 2023, meeting minutes with correction. Ryan Bellows seconded. The motion carried.

7. Change in Agenda Order

Prior to moving on to Agenda Item 7, Chairman Walden called to go straight to Agenda Item 15, new Program Standards of Apprenticeship Agreement, Affirmative Action Plan, Qualifications and Selections for Caliber Collision. They have withdrawn their application for Apprenticeship and will no longer be recognized during this meeting. They can resubmit at a future meeting. Item 15 is closed and move back to Item 7.

8. Apprenticeship Minimum Construction Wage

Chairman Walden asked Director Giddens to discussion under the motion for the approval of raising the minimum construction wage to \$67 an hour for apprentices in the construction industry who work on projects other than public works per NAC 610.490. Chair Walden asked for any discussion regarding the proposed Minimum Wage increase. Tom Burns asked if this was a mathematical equation and if it was prescribed under NRS. The State Apprenticeship Director confirmed it was a mathematical equation and was prescribed under NAC 610. Hearing no further discussion, Chair Walden called for a motion to approve. Council Member Wilkins motioned and was seconded by Council Member Ingersoll. The motion carried.

9. Discussion Regarding Senate Bill 82.

Director Giddens stated that this was an opportunity to ensure that everyone has access to the Labor Commissioners presentations and to address any questions that individuals or contractors may have. Director Giddens stated that questions or requests for SB 82 presentations could be sent to the AUA email address.

10. Discussion Regarding Hearing for Similar Programs

Chairman Walden announced the special hearing for similar program Veterans Stand Together. Based on Policy 1.1 this hearing will be held on March 7th at 9 AM. Director Giddens verified that Plumbers 525 have been notified of the similar program.

11. Apprentice Appeal of Dismissal.

Chairman Walden read notice of dismissal into record and asked if Aaron Ridge and a Representative from Plumbers 525 were present. Plumbers 525 was represented by Training Coordinator Gary Boyle and Attorney Bryce Loveland. Council Member Mandi Wilkins announced that she is a Trustee for the 525 Trust Fund and will need to recuse herself from this item. Chairman Walden opened the floor to Mr. Ridge who gave his testimony regarding his dismissal. Chair Walden then asked the Council for Plumbers 525 JATC to speak. Bryce Loveland reminded the Council that per Administrative Code, the Council may not reverse the decision of the Joint Committee unless the Council determines that the dismissal is arbitrary, capricious, or based on erroneous conclusions of law. Mr. Loveland provided the JATC's evidence. Mr. Ridgeway was given a rebuttal, as was Mr. Loveland. Chair Walden motioned to uphold the dismissal of Mr. Ridge and was seconded by Mr. Burnett. Vote was called with five Aye's and one abstention. Motion carried.

12. Revision of Program Standards.

Chairman Walden called a representative from Sierra Pacific Power to present their standards revision. Dominic Kenzie was in attendance representing Sierra Pacific Power. Council Member Ryan Bellows recused himself from this item as he is an employee of NV Energy. Mr. Kenzie provided information on the five updates to the program they are submitting. Chair Walden

confirmed with Mr. Kenzie that these were revisions to an established program. Chair Walden asked if there were any questions or comments from the Council. Madison Burnett motioned to approve and was seconded by Mandi Wilkins. Vote was called and with 5 Ayes and one abstention the motion carried.

13. Revision of Program Standards.

Chairman Walden called a representative from Operating and Maintenance Engineers Local 501. Sean McDonald council for 501 was present representing Operating and Maintenance Engineers Local 501. Mr. McDonald stated that they had two substantive revisions, one clearly stating the subjects and kinds of equipment and systems for which training, and instruction will be provided, as well as an amendment to Section 20 regarding early completion. Mr. McDonald stated that a conditional certificate of completion would be granted only once an apprentice has completed all program training requirements to allow employers to offer full time employment at journey worker rates while they complete OJT requirements. Chair Walden asked if there were any questions or comments from the Council. Madison Burnett asked how this would be kept objective and concrete to avoid any view of unfair advantage. Mr. McDonald stated that the application for this conditional certificate would have to come with a recommendation from the employer, and apprentice would have to have completed all their coursework. Hearing no further questions Chair Walden called for a motion. Steve Ingersoll motioned and was seconded by Ryan Bellows. Motion carried.

14. Revision of Program Standards.

Chairman Walden asked if a representative from Roofers Local 162 JATC was present. David Money the Training Coordinator for Local 162 Roofers and Waterproofers was present. Mr. Money stated that the standards for Local 162 JATC had not been updated since 2016 and that the revision was updating everything and clarifying language. Chair Walden asked Mr. Money to clarify on page 19 if it was supposed to be Attachment A or Appendix A. Mr. Money clarified that it should be Appendix A and would correct this. Chair Walden asked the Council if there were any other questions, hearing none a motion for approval was called. Motion was seconded by Madison Burnett. Motion carried.

15. New Program Standards and Apprenticeship Agreement.

Chair Walden called for a representative of Frontier Environmental Services to present their proposed program. Ed Winchester, Chairman of Frontier Environmental was present to represent the program. Mr. Winchester stated that they are a small business performing mine reclamation operating for 30 years in a small industry that is not served by existing labor fields. He stated this will be a small program with one to two apprentices a year and are seeking registration to train apprentices in their existing system. Chair Walden asked if the instructors would be training on MSHA and if it would be surface or underground. Mr. Winchester stated that they will be training both and the certification is required on their job sites and have had an MSAHW approved training plan for 20 years. Steve Ingersoll asked if there would be use of heavy equipment on the job sites or will this be pick and shovel work. Mr. Winchester stated that occasionally there is equipment on the sites, but most times the sites are places where they cannot get equipment to and utilize small grade beams and equipment use is a small piece of the work. Chair Walden asked for a motion for approval. Tom Burns motioned, and Brian Bellows seconded. Vote was called with five ayes and one no. Motion carried.

16. New Program Standards and Apprenticeship Agreement.

Chair Walden called for a representative of Intermountain Health to present their proposed program. Mandy Glettler, Apprenticeship Manager was present to represent the program. Ms. Glettler provided a brief overview of their program stating that it was intended to bridge the gap to better employment for unemployed or underemployed individuals. Chair Walden asked for any questions from the Council. Mr. Burns asked what other stated the program was operating in. Ms. Glettler stated that they are currently in

Utah, Colorado, and Montana. Hearing no further questions Chair Walden asked for a motion to approve. Mr. Burns motioned and was seconded by Madison Burnett. A vote was called, and motion passed.

17. Labor Commissioner’s Report.

Deputy Labor Commissioner Malia Tatom was present representing the Office of the Labor Commissioner. Ms. Tatom shared more information on SB 82 implementation and new advisory opinions that would be posted on the OLC website. Ms. Tatom shares that SB 82 will not be applied retroactively. Ms. Tatom stated that SB 82 presentations are still being held and if anyone is interested in attending or hosting to please contact our office for information.

18. State Apprenticeship Director’s Report

Director Giddens went over the Registered Apprenticeship Program summary of RAPIDS statistics and stated there were 172 completions since last NSAC meeting. There are currently 67 programs, 750 employers and 6822 active registered apprentices. Director Giddens told the NSAC the number of female registered apprentices has increased by 5% since the last quarter. Director Giddens also stated that her office is working with the Deputy Attorney General regarding the regulatory changes needed to remain in compliance with 29 CFR 29 & 30. Once this language is developed this item will be added to the May agenda for further review and discussion.

19. U.S. Department of Labor Report.

There was no U.S. DOL Office of Apprenticeship representative in attendance.

20. Future Agenda Items.

Chair Walden asked for any discussion on future agenda items. Hearing none, the Chair closed this item.

21. Public Comment.

Chairman Walden called for public comment. Hearing none he closed public comment.

22. Adjournment.

Chairman Walden adjourned the meeting of the Nevada State Apprenticeship Council at 10:24 AM.