

LOCATIONS:	Las Vegas Carson City	3300 West Sahara Avenue, #225 1818 College Parkway, 1 st Floor
Members Present:	Kevin Christensen Michele Daugherty Nanette Quitt Tom Pfundstein Randy Canale Dan Gouker Jeff Proffitt	Chairman, Public Member Employer Member Employer Member Employer Member Employee Member Employee Member Employee Member
Legal Counsel:	Melissa Flatley	Deputy Attorney General
Administrative Staff:	Shannon Chambers Lleta Brown Jennafer Jenkins	Labor Commissioner Chief Compliance Audit Investigator Auditor II

ITEM 1 – CALL TO ORDER AND ROLL CALL

Roll call was taken to ensure a quorum.

ITEM 2- PUBLIC COMMENT

Mr. Gouker spoke under this item. Mr. Gouker stated that while he could support the concept of moving the State Apprenticeship Council (Council) to another Department; he was not supportive of the current provisions of the Bill Draft Request (BDR) to move the State Apprenticeship Council to the Governor's Office of Workforce Innovation (OWINN).

Louis Loupias, said he was also concerned that the current BDR did not reflect the agreement between the Building Trades and the Bill Draft Sponsor.

Discussion took place about the future role of the State Apprenticeship Council if the move to OWINN was approved by the Legislature.

ITEM 3 - APPROVAL OF THE NOVEMBER 2016 MEETING MINUTES

Mr. Gouker stated there were typographical errors based on transcribing. He said he would provide a list of the corrections that were needed needed. Mr. Gouker motioned to approve with corrections.

Ms. Daugherty seconded the motion.

(M/S/C) TO APPROVE THE NOVEMBER 4, 2016 MEETING MINUTES WITH CORRECTIONS)

ITEM 4 – REPORT OF THE DIRECTOR OF APPRENTICESHIP A) 2017 LEGISLATIVE UPDATE B) 29 C.F.R PART 30 UPDATES C) ANNUAL REVIEW OF THE APPRENTICE MINIMUM WAGE FOR THE CONSTRUCTION INDUSTRY. ADJUSTMENT OF WAGE IN CONSTRUCTION INDUSTRY FROM \$12.70 TO \$13.05.

Ms. Chambers reported that Senate Bill (SB) 516, the BDR to move the State Apprenticeship Council to OWINN was heard on April 1, 2017 in the Senate Commerce and Labor Committee. The testimony from the Building Trades supported what the Governor's office was trying to do. It was put on the record that the State Apprenticeship Council should continue as a regulatory Council. There was no opposition testimony to SB 516. The Bill passed out of committee. Ms. Chambers indicated that SB 516 was going to be amended, and was not sure what the final version would be.

Mr. Gouker said he supported the concept of moving the Council to increase the resources available to support it, and the expansion of Apprenticeship in general, but was not sure if OWINN was the right place. Mr. Gouker and other members of the Council expressed concern about the proposed role of the State Apprenticeship Director as proposed in SB 516 and the number of Council meetings that would be held. The Council requested to see an amended version of SB 516 as it became available prior to final approval. Ms. Chambers indicated she would try to provide the amended version once it became available.

Ms. Chambers said the Bill (SB 516), is out of Senate Commerce and Labor Committee and will go before a vote in the Senate. After that, it will be forwarded to the Assembly if approved in the Senate. Ms. Chambers also reported that SB 357 would require a certain percentage of apprentices on public works projects. She also indicated there were numerous bills pertaining to public works that the Office of the Labor Commissioner was also following.

Ms. Chambers reported on the Federal Department of Labor – Office of Apprenticeship new updates and regulations as set forth in 29 Code of Federal Regulations (CFR) sections 29 and 30. Ms. Chambers indicated that the Office of the Labor Commissioner would work on compliance with the new requirements while the State Apprenticeship Council is in the Office of the Labor Commissioner and will work with OWINN on compliance if the State Apprenticeship Council is moved there.

Ms. Chambers reported that the Council's February meeting was rescheduled. In the absence of the meeting, and acting as the State Director of Apprenticeship, an increase in the minimum construction starting wage for Apprenticeship from \$12.70 to \$13.05 was approved in accordance with Nevada Administrative Code (NAC) 619.490.

Chairman Christensen said that the sentiment over the years was that the minimum construction wage should be sufficient to cover the necessities of life. He thanked the State Director of Apprenticeship for approving that change.

Mr. Gouker said he agreed with the increase.

Mr. Daugherty said she agreed with Mr. Gouker.

Ms. Daugherty motioned to recognize the approved Apprentice construction minimum wage increase pursuant to NA 619.490.

Mr. Gouker seconded the motion.

(M/S/C TO RECOGNIZE THE INCREASED IN THE APPRENTICE MINIMUM WAGE TO \$13.05)

ITEM 5 CONSENT ITEM - IRONWORKERS LOCAL 118 JOINT APPRENTICESHIP COMMITTEE – WAGE INCREASE

Mr. Proffitt motioned to approve.

Mr. Gouker seconded the motion.

**ITEM 6- IRONWORKERS LOCAL 416 JATC – REVISION OF STANDARDS
ITEM 7- IRONWORKERS LOCAL 433 JATC – REVISION OF STANDARDS**

The program coordinator was unable to attend.

Mr. Gouker stated that there were a few suggested corrections for the program. He said he would provide them to Ms. Brown.

Mr. Gouker motioned to table.

Ms. Daugherty seconded the motion.

(M/S/C TO TABLE ITEM 6- IRONWORKERS LOCAL 416 JATC – REVISION OF STANDARDS AND ITEM 7- IRONWORKERS LOCAL 433 JATC – REVISION OF STANDARDS)

ITEM 8 - LINCOLN POWER REVISION OF STANDARDS

The program coordinator was unable to attend.

Mr. Gouker stated that there were a few suggested corrections for the program. He said he would provide them to Ms. Brown.

Mr. Gouker motioned to table.

Mr. Proffitt seconded the motion.

(M/S/C TO TABLE ITEM 8 –LINCOLN POWER REVISION OF STANDARDS)

ITEM 9- UNITED ELECTRICAL SERVICES APPRENTICESHIP

Nichole McCarthy and Danielle Knapp presented the program. They stated they are based out of Minden, Nevada and there were no Apprenticeship Programs in their area. They stated they had been working with Ms. Brown on the programs standards.

Mr. Gouker said the program did appear to be a good program. He suggested that the proposed standards needed to be modified to reflect the Office of the Labor Commissioner as the Registration Agency. Mr. Gouker also asked that the program add language regarding the Nevada Revised Statutes and Nevada Administrative Code. He also suggested the following changes:

Page 10, Section IV, Change GED to HSE (High School Equivalency)

Page 12, Section IX – add the statement “the probationary period includes both the On-The-Job learning and related instruction.”

Page 17, Section XX –insert the actual numbers of days required for notification and not just “notified promptly”

Appendix A-3 Add the actual Dollar amount to the chart, Appendix ‘C’ – Add reference to Nevada Revised Statutes and Nevada Administrative Codes on the cover page. Add to the reference of the Nevada Equal Employment Opportunity plan the statement, “as currently approved and as may be modified”.

Page 14. Section XIV, In the first paragraph, change “recommended” to “required”, In Appendix D, Section 1, C. item b. change “applicants may be required...” to “applicants WILL be required....”

Appendix D, Section III, item A. remove "(if applicable)". All applicants should be interviewed.

Ms. Quitt asked the program if they were willing to increase the starting wages to \$13.05 as approved earlier in the meeting.

Ms. McCarthy agreed to the increase.

Mr. Canale asked about how many committee members the program would have as stated on page 7.

Ms. McCarthy said there would be two representatives of Management and two representatives for Employees.

Mr. Canale said the probationary period should include the maximum term on page 12.

Ms. McCarthy agreed to correct the language.

Mr. Canale asked for information regarding the aptitude test.

Mr. Canale stated the curriculum checklist needed to have the DOT number and the total number of hours for classroom and OJT hours.

Ms. McCarthy agreed to correct.

Chairman Christensen stated the DOT number needed to be placed on the program cover page as well.

Ms. McCarthy agreed to correct. She also agreed to change the language of the testing requirement to be used as a ranking tool only.

Mr. Gouker motioned to approve with the changes suggested.

Ms. Quitt seconded the motion.

(M/S/C TO APPROVE UNITED ELECTRICAL SERVICES APPRENTICESHIP WITH CHANGES)

ITEM 10- STAFF REPORT

Ms. Brown reported that there were 81 programs with 3268 apprentices registered. There are 47% minorities, 9% veterans and 5% female participation. She stated the report was incorrect and that the numbers.

Ms. Brown answered questions from the Council about the report and noted that certain portions of the report were not correct, but that a correct version would be sent to the Council.

ITEM 11 – REPORT OF FEDERAL OFFICE OF APPRENTICESHIP

Ms. Henry reported that since the Secretary of Labor has not been confirmed the office was not able to issue completion certificates. The US Department of Commerce completed a study on the Return on Apprenticeship, which found that Apprenticeship was a good return on investment. Ms. Henry informed the Council that there were new Occupations for Apprenticeship registration including, Risk Management Analysts for the financial industry, and Arborist and Coding Inspector. There were new national guideline standards for the US Dept of Agriculture, Cummings, and The Service Employees Union for healthcare industry, US Express, Tank Start, Hartford Insurance Company, Mercedes Benz, Amazon, and General Motors. She indicated there had been only one circular 2017-01 new perimeters and guidelines for reviewing ratios. She said the fact sheet for 29 C.F.R sections 29 and 30 can be obtained on the DOL website. She said one of the highlighted changes allows the programs to advertise using the multimedia venue such as Craigslist. Etc. There was a new TEGLE 13-16 which puts more emphasis on working with the Office of Workforce Innovations, the existing programs can be placed on the Eligible Training Providers list for Apprenticeship. Other new institutions will have to wait one year before they can be placed on the list.

Chairman Christensen asked Ms. Henry about her thoughts on SB 516.

Ms. Henry said she had sent information concerning SB 516 to the Labor Commissioner and OWINN indicating that the Council should remain a regulatory body.

Mr. Gouker brought up the January 2017 letter written by John Ladd, Director, Department of Labor - Federal Office of Apprenticeship concerning the registration of new Apprenticeship Programs in Nevada.

Chairman Christensen stated that while he applauded the concept of expanding Apprenticeship, programs should still meet and comply with the minimum standards as set forth by the Council.

Ms. Chambers said she would try to reach out to the programs listed in the January 2017 letter to see what their status was.

Mr. Proffitt asked if existing programs would have to be re-reviewed to be considered an eligible training provider, and the Council discussed the question.

ITEM 12 - REPORT OF ATTORNEY GENERAL

Ms. Flatley, Deputy Attorney General, provided the council with a Memorandum addressing and answering questions that were raised at the prior Council meeting. The Council discussed the Memorandum.

ITEM 13 – ADJOURNMENT

Mr. Gouker motioned to adjourn.

Mr. Profitt seconded the motion.

(M/S/C TO ADJOURN)

