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NEVADA STATE APPRENTICESHIP COUNCIL MEETING MINUTES – NOVEMBER 29, 2022

1. **Call to Order.**

A Nevada State Apprenticeship Council (NSAC) meeting was called to order at 9:00 AM by Chairman Archie Walden.

2. **Roll Call and Quorum.**

Chairman Walden welcomed new Nevada State Apprenticeship Director Toni Giddens. Director Giddens called the roll and declared a quorum present for the meeting. NSAC members present: Chairman Archie Walden, Vice-Chairman Jeremy Newman, Madison Burnett, Steve Ingersoll, Mike Kennedy, Ryan Bellows, Craig Statucki, Stacey Bostwick, Cheryl Olson. NSAC members absent: Thomas Pfundstein.

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.

- Mr. Rick Allen on behalf of Clark County School District testified in support of Agenda Item 12, Nevada Help Desk.
- Mr. Kevin Christensen on behalf of the Electrical Joint Apprenticeship and Training Committee of Southern Nevada to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Guy Snow on behalf of the Solar Industry to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Alan Darney on behalf of the Northern Nevada Electrical Joint Apprenticeship and Training Committee to confirm receipt of his letter of objection and to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Madison Burnett asked to recuse himself from participating in Agenda Item 10, because he is a Council Member, and asked to speak as Training Director for the Electrical JATC of Southern Nevada and object to Agenda Item 10, Solar Photovoltaic Installer.
- Ms. Princes Danley on behalf of Inside Wireman apprentices at the Electrical JATC of Southern Nevada to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Nathan Ring on behalf of the International Brotherhood of Electrical Workers Local 357, the International Union of Operating Engineers Local 12, and the Bricklayers & Allied Craftworkers, Mountain West Administrative District Council to reference his previously submitted written comments and asked that Agenda Item 10, Solar Photovoltaic Installer, be denied by the NSAC.

- Ms. Corinna Pereira on behalf of the United State Department of Labor (DOL) said that the DOL Office of Apprenticeship does not currently recognize Solar Photovoltaic Installer as an apprenticeable occupation.
- Mr. Jose Lopez on behalf of Inside Wireman apprentices at the Electrical JATC of Southern Nevada to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Scott Silvia, Apprenticeship Training Coordinator on behalf of Ironworkers Local 416 and Ironworkers Local 433, to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Jason Rafter, Director of the Ironworkers Local 416 and Ironworkers Local 433 Apprenticeship Training Program, to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Larry Hopkins, Director of Training for the Southern Nevada Operating Engineers Local 12, to oppose Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Greg Trock, apprentice with the Southern Nevada Operating Engineers, to object to Item 10, Solar Photovoltaic Installer.
- Ms. Danielle King, Operating Engineer, to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Cole Cummings, apprentice for Ironworkers Local 433, to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Chris Lund, apprentice for Ironworkers Local 433, to object to Agenda Item 10, Solar Photovoltaic Installer.
- Mr. Archie Walden noted in public comment as Director of Laborer's Local 872, not as Chairman of the NSAC, that the new proposed Solar Photovoltaic Installer occupation curriculum has been vetted per NRS 610.144.

Chairman Walden called for further public comment. Hearing nothing further, Chairman Walden closed the initial public comment period.

5. **Approval of August 30, 2022 Minutes.**

Vice-Chairman Jeremy Newman made a motion to approve the August 30, 2022 meeting minutes as written. Council Member Madison Burnett seconded. The motion carried.

6. **Discussion Of 2023 State Apprenticeship Council Meeting Dates.**

Director Giddens read the proposed meeting dates into the record:

- February 23, 2023
- May 25, 2023
- August 24, 2023
- November 30, 2023

The NSAC has not received mandate to have in-person public meetings as of this date and will continue to have virtual meetings in 2023 until further notice. A motion to approve this item was made by Chairman Walden and seconded by Council Member Ryan Bellows. The motion carried.

7. **Discussion Regarding the Legal Requirements for Notice to Similar Programs.**

Chairman Walden called Deputy Attorney General David Gardner to provide input regarding legal requirements and NSAC policy for notice of similar programs per NRS 610.144(2), NAC 610.355 and meeting attachment OWINN Policy Number 1.1 regarding application of NAC 610.355. Vice-Chairman Newman inquired about a hearing to discuss Senate Bill (SB) 247 (2021 Legislative Session) interpretation and, after discussion, Council Member Ryan Bellows agreed it be added to Agenda Item 18, Future Agenda Items, to see about authority to change policy.

8. **Apprentice Appeal.**

After hearing comments from Mr. Alan McCahill and his advocate, Ms. Michelle Ruiz, on his appeal of apprenticeship dismissal, Mr. Nathan Jenkins, attorney for the Northern Nevada Sheet Metal Apprenticeship, and Mr. Thomas Blotzke, Coordinator for the Sheet Metal Local 26 JATC, discussed the reasoning to uphold the dismissal according to NAC 610.461. Chairman Walden noted that Mr. McCahill missed required classes and was dismissed for three violations during his probationary period. Council Member Madison Burnett motioned to deny the appeal request per NAC 610.461(7). Council Member Steve Ingersoll seconded. The motion carried.

9. **Update on Status of Program.**

Chairman Walden asked for a representative from IONnovate, LLC, to update the NSAC on the status of the Software Developer apprenticeship program. Mr. Joshua Leavitt, CEO, requested that the program remain active because he has pipeline of 10 potential apprentices. Two of these potential apprentices are in the process of getting LEED for IT professional credentials and there are four companies who are interested in them. IONnovate is currently interviewing candidates for the apprenticeship program. Council Member Burnett inquired if there are any signed apprentice agreements and Mr. Leavitt replied that two people have signed offers and are waiting for the LEED for IT course results to get eligibility for employment, before they sign apprentice agreements. Their start date is expected to be the first of the year. Vice-Chairman Newman received confirmation from the DOL that this program is apprenticeable under 29 CFR 294 and SB 247(8). Chairman Walden made a motion for the program to appear at the February 23, 2023 NSAC meeting for an update on the program's status and further discussion and possible action with regards to complying with NAC 610.365. Council Member Madison Burnett seconded. The motion carried.

10. **Revision of Program Standards/Occupations.**

Chairman Walden ceded the Chairmanship to Vice-Chairman Newman, so that he could represent the Southern Nevada Laborers Training Trust (SNLTT) with respect to Agenda Item 10 but first stated that due to information he recently received, he removed the proposed Solar Photovoltaic Installer occupation from the program and asked the NSAC to consider the general revision of program standards and occupations. The revised program standards had minimal changes and remove nomenclature for OWINN to the Nevada State Apprenticeship Agency and added the Fence Erector occupation. After no further comments, Chairman Newman motioned to approve this item. Council Member Mike Kennedy seconded with the preface that the Solar Photovoltaic Installer occupation be removed. Deputy Attorney General David Gardner said that since the Solar Photovoltaic Installer occupation was removed Council Member Burnett could vote on this motion. The motion carried. Chairman Newman then ceded the Chairmanship back to Mr. Walden.

11. **New Program Standards and Occupation.**

Chairman Walden asked for a representative from the Northern California and Nevada Finishing Trades Institute and Southern Nevada Joint Apprenticeship Training Committee. Mr. Harry Mowrey, Apprenticeship Coordinator, and Mr. Alex Beltran, Director of Training, discussed the new program and new Industrial Painter occupation. Council Member Burnett asked for revisions to the 5910 Form. Vice-Chairman Newman asked that SB 247 be confirmed with Deputy Attorney General David Gardner that the occupation was approved and apprenticeable occupation under 29 CFR and guidelines of the DOL. Council Member Cheryl Olson noted the proposed Industrial Painter occupation O*NET Code no longer in use and it will be changed to 51.9124.00. Motion was made by Vice-Chairman Jeremy Newman with change in O*NET Code. Council Member Steve Ingersoll seconded. The motion carried.

12. **New Program Standards and New Occupations.**

Chairman Walden called for a representative from the Nevada Help Desk program. Ms. Duana Malone, Executive Director, requested approval for two new occupations: Computer User Support Specialist and Cybersecurity Support Technician. Along with the public comment and letter of support from the Clark County School District, she submitted documents to show the need to expand the apprenticeship program and updated dates in the standards. Vice-Chairman Newman confirmed with the DOL that the occupations are apprenticeable under 29 CFR and guidelines of the DOL. Council Member Burnett noted that the Cybersecurity Support Technician 5190 Form needed to be updated to match program standards. Ms. Lleta Brown of the Office of the Labor Commissioner pointed out that this program does currently have registered apprentices and has been working diligently to continue to grow the program. Hearing no further discussion, Chairman Walden motioned to approve with clerical changes. Jeremy Newman seconded. The motion carried.

13. **Revision of Program Standards.**

Chairman Walden called for a representative from the Plumbing Heating and Cooling Contractors of Nevada program. Mr. Jordan Krahenbuhl, Executive Director, presented an overview of the program. Also in attendance for the group were Ms. Echo Svoboda, Office Manager, Mr. David Svoboda, Apprentice Coordinator, and Mr. Matt Cecil, Legal Counsel. Chairman Walden asked for changes in standard's nomenclature from OWINN to the Office of the Labor Commissioner, some clerical errors, the addition to Maintenance of Records for Direct Entry section. Council Member Madison Burnett suggested to add address to Complaint Procedures. Council Member Madison Burnett motioned to approve with changes. Ryan Bellows seconded. The motion carried.

Chairman Walden called for a motion for a 10-minute break at 11:37 AM. Vice-Chairman Newman motioned. Council Member Madison Burnett seconded. The motion carried. Chairman Walden resumed the meeting at 11:47 AM.

14. **Revision of Program Standards.**

Chairman Walden called for a representative from the Operating Engineers Local 3 JATC program. Mr. Brian Prather, Administrator for Operating Engineers Local 3 JATC, presented 5910 Form wage changes due to Collective Bargain Agreement raises and proposed clerical updates to the standards. Chairman Walden called for discussion and any abstentions. Deputy Attorney General David Gardner agreed that Council Member Steve Ingersoll recuse himself from voting on the motion because he is connected with the sponsor of this program. Chairman Walden called for further discussion and hearing none he motioned for approval. Vice-Chairman Jeremy Newman seconded. One abstention. The motion carried.

15. **Labor Commissioner's Report.**

Labor Commissioner Brett Harris thanked outgoing Council Member Randy Canale for his dedicated service and welcomed new Council Member Steve Ingersoll and returning Council Members and thanked them for their service. Commissioner Harris is looking forward to working with NSAC on issues with the statutes and the bills.

16. **State Apprenticeship Director's Report.**

Director Giddens went over the Registered Apprenticeship Program summary of RAPIDS statistics and stated there are currently 6,198 active registered apprentices and 61 Registered Apprenticeship Program sponsors in the State of Nevada.

17. **U.S. Department of Labor Report.**
Corinna Pereira, Region 6 Multi-State Navigator of the U.S. DOL Office of Apprenticeship, submitted a fourth-quarter report meeting attachments and reviewed region and national updates, including the Teacher Workforce Challenge, Nevada Works grant award, and Bulletin 2022-132 Rescission of IRAPs. This is the 85th anniversary of the National Apprenticeship Act, as well as the 8th Annual National Apprenticeship Week. They received 355 National Apprenticeship Week proclamations nationally including one from Nevada’s Governor Steve Sisolak. There are new sponsor tools on RAPIDS, including the Recruit Talent Tool and Universal Outreach. Webinars and trainings will be provided by the appropriate agencies when further information is completed on inflation and infrastructure and how it will impact apprenticeship.
18. **Future Agenda Items.**
Vice-Chairman Jeremy Newman requested the 2018 OWINN Policy Number 1.1 on the future agendas to review and update changes needed to be more in line with SB 247.
19. **Public Comment.**
Chairman Walden called for public comment. Hearing none he closed public comment.
20. **Adjournment.**
Chairman Walden adjourned the meeting of the Nevada State Apprenticeship Council at 12:11 PM.