NAC 611 Stakeholder Meeting-20261013_125848-Meeting Recording

October 13, 2026, 7:58PM

18m 46s

Eileen Woltz started transcription

Ryan Matthews 0:21
Uh-huh.
All these are pretty heavy, the ones.

Sergio Resendiz 0:56
Well, it's only 1 to 1:30.
What has it started?

Cesar Andia 1:13
Oh, it hasn't started. Oh, it hasn't started.

Sergio Resendiz 1:16
Yeah.

Brett K. Harris 1:18
Please mute your microphones and if you are logged in in two places or on two devices, it will cause an echo if you have audio on.

Sergio Resendiz 1:22
Can you hear me?

Brett K. Harris 1:57
Okay, good afternoon, everybody. My name is Brett Harris. I'm the Nevada Labor Commissioner. It is 1 P.m. and I'm going to call to order our notice October 13th, 2026 stakeholder meeting regarding NAC 611 pursuant to the Governor's Executive Order 2026-003.
Please be advised that this meeting is being recorded. A copy of that recording is available to all members of the public upon request. AI readers take up a lot of

bandwidth on these meetings, so you do not need your AI device also signed in. Please, there will be a recording.
Notice and agenda for this stakeholders meeting were provided by e-mail directly to stakeholders and persons in the Office of the Labor Commissioner's e-mail list for noticing of administrative regulations. We noticed by e-mail for posting at the Nevada State Library, the archives, and the public records administrator.
We published the notice to the Office of the Labor Commissioner's website, published to the State of Nevada Public Notice website, and the Nevada Legislature website. The meeting is being held by teams, and you can also join by telephone. Please be advised there will be no action taken during this meeting, so no regulations are being passed today.
as this is a discussion for stakeholders to discuss Nevada Administrative Code 611 for us to gather input related to the regulations that fall under NAC 611. And then in the, at the time that we draft any regulations, there would be subsequent workshops where you would have the language available to you.
So pursuant again, pursuant to NRS 241, this meeting is being recorded and transcribed, will be available at no charge by the public or for the public within 30 days. So you do not need to add any AI bots to the to the meeting.
There will be two periods of public comment for this meeting. The public comment will be limited to 3 minutes per stakeholder. If you wish to provide comment, please indicate this by using the raise hand feature in Teams or typing it in the chat. We will call everyone as we see them. I promise I will get to everyone. Everyone will have an opportunity to speak. When your name is called, please unmute your microphone. Begin by saying your first and last name and spelling. When you are not speaking, please make sure to mute your microphone. If there is somebody in...
your room or area who is also on this meeting and you have technologies that are both logged in, just please make sure that they're not unmuted at the same time or the feedback is unbearable. Once you finish speaking, please lower your hand using the raise hand feature.
and mute your microphone and we'll go from there. So at that, we'll take the first period of public comments. And I see Aaron Ibarra has his hand up, so we'll go with him first.

AI **Aaron Ibarra** 5:16
Sorry, we're in a conference room and we got three people in here. Is it OK if we get

OK? I'll start off first, if you, if it's OK with you. My name is Aaron Ibarra, AARONIBARRA. Good afternoon. One modernization I would like the state to consider is making required licenses easier for the public to verify.

Brett K. Harris 5:19
Okay.

Aaron Ibarra 5:35
when business is being conducted online. A lot of recruiting, advertising, job placement, and solicitation now happens through websites, social media, and electronic job postings. If Nevada requires someone to hold a license for that activity, I think the applicable license number should be clearly displayed where the business is being advertised or conducted electronically.
That would allow workers, contractors, consumers, unions, and enforcement agencies to quickly determine whether someone represents themselves as licensed to actually hold a valid Nevada license. It also benefits legitimately to legitimate business speaker because they can easily show that they are operating properly. This would not change who needs a license. It would simply update transparency requirements to reflect how business is actually conducted today.

Miguel sanchez 5:59
yo-yo.
Oh.
The speaker?

Aaron Ibarra 6:22
Good afternoon. My name is Jimmy Schwarz. JIMMYSCHWARZ. I'm with the Iron Workers Union Local 433.
I'd like to suggest a clear interagency referral process when one state agency receives information that appears to involve another agency's jurisdiction. The public should not have to understand the entire structure of state government before reporting a possible violation. Someone may know what is happening in the field, but not know whether the issue belongs with.
The Labor Commissioner, a licensing board, staffing, excuse me, safety agency, or another regulator.

If an agency receives credible information that belongs somewhere else, there should be a simple process to get that information to the appropriate agency instead of requiring a person who reported it to start over.
The complaint, the complainant should also be told where the matter was sent. I think that would make enforcement more efficient, improve coordination, and make it easier for workers and legitimate businesses to report concerns.
Good afternoon. My name is Gerardo Salgado. That's GERARDOSALGADO. I'm with Roofers and Waterproofers.
A suggestion I would like to raise is making the scope of the state issued license clear at the time the license is issued or renewed. Business may be properly licensed by one agency but still need a separate license permit registration for approval for that to work. I think the state can help prevent violations by
clearly explaining what a license is. A license authorizes and just as important it does not authorize. A simple plain language acknowledgement during the license or review process could tell the license that activities regulated by another Nevada agency require separate authorization. That would give
legitimate businesses, clear guidance, and reduce confusion and the public. This is not about creating another burden. It is about making the rules easier to understand before a problem occurs. Thank you.
I believe that is all. Thank you, Labor Commissioner.

BH **Brett K. Harris** 8:33
Thank you, Mr. Barra and Company.
We will go to Ronald Young.

RY **Ronald Young** 8:45
Hello, my name is Ronald Young. I represent IBW Local 357 and I just wanted to echo some of the remarks the previous commenters already just made. We believe that contractor licensing should be a lot more descriptive and more easily attainable as far as like information gathering goes. We feel like the inner agencies
The agencies regarding jurisdiction and the deflection that they use to not coordinate or allow for complaints is really just burdensome on not just us, but the workers that it affects. And enforcement becomes almost impossible if everyone's kicking the can down the road to the other department.
but they don't want to talk to one another. Additionally, we think that the licensing

for contractors is important, not just to know, like, not just to know who's working on these projects, but to know who's responsible for the employees that work on these projects, because the employees should be under the same type of workman's comp. and as scrutinies that our other contractors are, as far as the bidding process is controlled, and that needs to be upheld in a more structured fashion. So thank you for taking my remarks.

Brett K. Harris 10:03
Thank you, Mr. Young. Mr. Bar, you had somebody else.

Aaron Ibarra 10:10
Good afternoon. My name is Leslie Patu. LESLIE. Last name is PATU. My comments only like aligning the NAC 611 enforcement to align with the NAC 624 standards. That way you can protect all the workers from illegal wage practices and protect the legitimate companies or agencies that are licensed in the state of Nevada.
Thank you.

Brett K. Harris 10:40
Thank you, Mr. Patu.
Any other public comment?
Let me check the chat.
Okay, seeing no other public comment at this time, we will present the executive order. So Governor Lombardo's Executive Order 2026-003 asked executive branch agencies to engage in stakeholder meetings under their jurisdiction.
before October 29th. So this is our scheduled stakeholder meeting for NAC 611, which primarily governs our jurisdiction over the licensing of private employment agencies and professional employer organizations. Thank you so much for your input and comments.
at the beginning. At this time, we will have another time period for public comment.

Aaron Ibarra 11:44
For public comment.

Brett K. Harris 11:47
And so if anyone has...

Aaron Ibarra 11:47
And so if anyone has...

Brett K. Harris 11:50
public comment at this time, please do so indicate the same way, which is raise your hand and I will call on you in the order that I see them. So Mr. Abarra, I saw your hand go up first.

Aaron Ibarra 12:01
Up first.
Labor Commissioner, thank you for your time. Robert Diaz with the Sheet Metal Workers, DIAZ. We're.
I guess in 2021, let me paint a picture in my 2 1/2 minutes here. Legislation was passed for AB 227 for independent contractors. Fence in, it hasn't been in floors, injunctions, legalities, what have you.
We're confused. Who is the authority having jurisdiction over this legislation? Contractors Board, it's a consistent conversation in their meetings. Labor Commissioner seems like a place to file some of those. Obviously, it's still in a legal limbo. Bates are opened on it. 2025.
There was a court ruling to stop the injunction, I think that was filed against it. And give me if my vocabulary is not wrong, I went to school for labor, not law. But there's been issues and I think it's still ongoing, but we're looking for clarity. If your board has oversight, if
this chapter is the appropriate one. If not, point me in the next one and I'll be at that meeting too. But thank you for your time.

Brett K. Harris 13:17
Thank you, Mr. Diaz. Just to briefly respond to that before I go to the next public comment. I know the litigation that you're referencing, I know the law that you're referencing. When we heard that that injunction was lifted and that law was upheld, we told the contractors board to
to feel free to refer those violations over to our office for us to pursue the misclassification component of it. So we can absolutely, I would consider that per se misclassification.

which we have jurisdiction under a different statute, which is not 611, but there's also, there's a crossover 611 issue because of the PEAs. But I know what you're talking about, and we do have jurisdiction over the misclassification portion of enforcement of that.
A violation of that 624 statute would be per se misclassification under the Office of the Labor Commissioner.
So I hope that answers your question, and even though that's not about regulations. But I'm happy to answer that because I have, we've told the contractors board we're happy to take those cases. So you should also feel free to send us those cases. And I'm going to keep going with public comment at this time. Jose Torres.

JT **Jose Torres** 14:37
Good afternoon. My name is Jose Torres, J-O-S-C-T-R double, I don't even know how to spell my name, T-O-R-R-E-S. I'm here representing the IB357. And as Nevada reviews its regulation under the executive order of 2026-003, we want to express our concerns about regulatory changes.
that could expand the use of PEAs, with private employment agencies, to supplying workers into the Nevada's construction industry. Our concern isn't necessarily with the staffing agencies. Our concern is the potential of creating a labor model that separates the worker's employer from the contractor that actually pulls permits, actually directs and controls the construction work.
The separation raises important questions that I believe the labor commissioners should take into consideration. On public works, who is ultimately responsible for the proper classification of these workers? Whose certified payroll identifies these workers? How are apprentice utilization requirements calculated when
Part of the contractor's workforce is employed by a staffing company. Who verifies that someone being supplied is actually a skilled tradesperson that possesses the experience and qualifications needed for that particular craft. And when violations occur, which employer is actually the accountable party?
Is it the PEA? Is it the contractor with the license? So these concerns obviously really hammer down. How about registration apprenticeship requirements? We've, does that mean I'm out of time? Listen, so point being is I just want to hammer down on the fact that

Brett K. Harris 16:18
No, you're getting, you're getting, you're getting cheered on. Keep going.

Jose Torres 16:21
All right. So ultimately, we believe that higher standards in the industry to keep safety and value to the customers, obviously, we want to keep that up. But more importantly, as a labor commissioner, we want to make sure that we're protecting workers. We're protecting workers from a
abusive labor practices from some of these unscrupulous contractors and third-party agencies. Thank you for taking my comments.

Brett K. Harris 16:54
Thank you, Mr. Torres.
Any other public comment? Any other comments wanting to be made at this time? No additional request for comment in the chat that I see either.
Okay. Thank you so much for participating and I'm going to call, I'm going to close that time for public comment. Again, one more second to see if anybody else has anything to say.
All right, closing that period for public comment. Thank you so much for your input today. Thank you so much for showing up. It is invaluable to hear your feedback and to hear the kind of things that you guys are concerned about in the PEA and PEO licensing space. So
We will take that into consideration. We will any regulations that are drafted will be required to go through workshops. So you will have language ahead of time and be notified of those workshops.
Again, thank you for jumping on to participate and provide feedback and recommendations for NAC 611. The time that this meeting began was 1 P.m. It is now 1.17 P.m. So we were all very efficient. And this concludes the meeting to discuss stakeholder comments and recommendations for the Governor's Executive Order 2026-003.
for NAC611. Thank you so much.

Eileen Woltz stopped transcription