

Meeting is subject to the provisions of the Nevada Open Meeting Law – NRS 241.020

*****MEETING MINUTES*****

Name of Organization: Nevada State Apprenticeship Council; Governor's Office of Workforce Innovation (OWINN)

Date and Time of Meeting: Thursday, February 11, 2021 at 9:00 AM

Note: The members of the Council will be attending the meeting, and other persons may attend the meeting and provide testimony, through teleconference in compliance with Governor Sisolak's State of Emergency Directive 006.

Place of Meeting: Teleconference: 1-888-363-4735 - Access Code 9319340

Note: Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment. NRS 233B.126.

Council Members Present: Chair Archie Walden, Mike Kennedy, Ryan Bellows, Thomas Pfundstein, Randy Canale, Jeremy Newman, Madison Burnett, Stacey Bostwick, Ricardo Villalobos, Craig Statucki

Council Members Absent: None

Others Present: Richard Williams, State Apprenticeship Director, Greg Ott, Chief Deputy Attorney General, Attorney General's Office, Andres Feijoo, OWINN, Joan Finlay, OWINN, Eileen Woltz, OWINN, Douglas Howell, U.S. Department of Labor, Cheryl Olson, NSHE, Louis Ontiveros and Jamie Robison, Southwest Carpenters and Affiliated Trades JATC
(Please note that all attendees may not be listed above.)

1. CALL TO ORDER & WELCOME

Chair or Vice-Chair

Chair Walden called the meeting to order at **9:00 A.M.** He welcomed Council members to this February 11, 2021 Nevada State Apprenticeship Council Meeting. For everyone's information, under normal circumstances we would not be having council meetings over teleconference. However, due to the COVID-19 pandemic, Governor Sisolak's Emergency Directive 006, extended by Directive 029 Section 4, does permit public bodies like this council, for the time being, to conduct proceedings over mediums such as teleconference.

2. ROLL CALL - CONFIRMATION OF A QUORUM

Richard J. Williams, State Apprenticeship Director

Richard Williams then called roll and informed the Chair that a quorum was present, and **Thomas Pfundstein** would join the meeting at a later time. Mr. Williams would inform the Chair when Mr. Pfundstein would be on the phone.

3. VERIFICATION OF PUBLIC POSTING

Richard J. Williams, State Apprenticeship Director

Richard Williams affirmed that the notice and agenda for this February 11, 2021 Nevada State Apprenticeship Council meeting was posted according to Nevada's Open Meeting Law pursuant to NRS. 241.020.

4. PUBLIC COMMENT

(Public Comment emails sent to ajfeijoo@gov.nv.gov will be read by the State Apprenticeship Director)

Chair Walden calls for Public Comment and/or emails to the OWINN office. He first asked if there were any comments from the Public that were listening on the phone, hearing none he then asked **Mr. Williams** if any emails were received.

Richard Williams stated for the record that we have received no public comments.

5. APPROVAL OF NOVEMBER 19, 2020 MINUTES *(Information/Discussion: For Possible Action)*
Chair or Vice-Chair

Chair Walden asked for any discussion of the previous meeting minutes and **heard none**.

Chair Walden made a motion to approve the November 19, 2020 meeting minutes. Madison Burnett seconded. All those in favor say "Aye," those opposed say "Nay." The Ayes have it and the motion carried.

6. MINIMUM CONSTRUCTION WAGE *(Information/Discussion: For Possible Action)*
Discussion and possible action on reviewing the minimum construction wage for apprentices in the construction industry who work on projects other than public works per NAC 610.490
Richard Williams, State Apprenticeship Director

Richard Williams submitted for approval a memorandum from **Deputy Labor Commissioner Lleta Brown** assisting the Council with the computation of the minimum construction wage in Nevada. In accordance with NAC 610.490, the current minimum wage for construction is \$14.38 and with the new computation that would take it to \$14.63 this year.

Madison Burnett inquired if there is anything that stops the Council from raising this to an even \$15.00 an hour.

Richard Williams stated that he would ask the Attorney General's office for assistance on this but believes that the Council would have to follow 610.490, where it has the computation and the systematic approach to getting that number.

Greg Ott stated 610.490, Subsection 3 says in adjusting the minimum reasonable and profitable wage, the Council may accept the results of the computation as the minimum reasonable and profitable wage or adjust the wage if the Council determined that the results of the computation do not reflect a fair, reasonable, and profitable minimum wage. That is the standard that the Council would have to meet if it wanted to kind of deviate from the computation.

Richard Williams replied that he understands **Council Member Burnett's** concern. It would deviate from the Council's previous computations. Mr. Williams asked the Attorney General's office if there is any latitude available to the Council if they could raise this if they choose to.

Gregg Ott noted that the history is relevant here, if the Council has not taken the opportunity to exercise any ability to adjust these to reflect a fair, reasonable, profitable minimum wage. It would be a standard that would require some evidence. There is the possibility of them making an adjustment because NAC 610.490 Subsection 3B does seem to allow them some ability to do that. It will require more data.

Jeremy Newman asked if the Council could adjust this at a different date. If it is approved today and we can go do research and put it on a future agenda, we can adjust at any time?

Chair Walden agreed with **Mr. Newman** and would like to see more research. There are programs that start below the \$15.00 an hour rates based on their journeymen scale. This would affect other programs also that have apprentices starting off at a lower wage than what would be \$15.00 an hour based on the journeymen wage scale. The Council would not want to have too many people adjusting their pay scale based upon the wage being raised without them being informed and aware of what is going to happen if it does. We would need to look at what the programs pay now and see how it would affect them and collective bargaining agreements and things such as that.

Richard Williams' recommendation would still be to approve the \$14.63 at this time. It is something that the Council could always discuss at another meeting. Mr. Williams added that the federal minimum wage may increase to \$15.00. Mr. Williams will discuss the matter further with the Attorney General's office.

Chair Walden asked if there is any other discussion under the motion for the approval of the minimum construction wage to \$14.63. Hearing none, Chair Walden called for a motion to approve the approval of the minimal construction wage to \$14.63. Madison Burnett seconded. The motion carried.

7. NEW PROGRAM STANDARDS/NEW OCCUPATION

(Information/Discussion: For Possible Action)

Discussion and possible action for new program standards and new occupation;
Medical Assistant (Competency-Based)

Sponsor: Nevada System of Higher Education (NSHE)

1. INJ Standards of Apprenticeship and Associated Appendices B through D
2. Appendix A – Medical Assistant

Chair Walden called for the representative of NSHE to present the program standards for the Medical Assistant occupation.

Cheryl Olson presenting to you new standards of apprenticeship for the Nevada System of Higher Education in the occupation of Medical Assistant. Medical Assistant is a one-year competency-based program that includes 193 hours in related technical instruction and 2,000 hours of on-the-job training. The program leads to a Certified Medical Assistant credential and the program RTI will be provided by Truckee Meadows Community College. The instructors are licensed Clinical Practitioners, either Registered Nurses or Certified Medical Assistants.

Randy Canale noted that on page 3 of the main standards, under aptitude tests, it just says one is required by an employer. Each applicant must complete an aptitude test given by the employer, which will be used as one factor in the selection process. Mr. Canale asked what is the test and has it been validated for this job or occupation?

Cheryl Olson stated that for this particular occupation they do not plan to use an aptitude test for selection criteria but that it is included in the standards for future occupations in case that is a requirement. It will be clearly identified in the Appendix A to outline what that aptitude test would be.

Randy Canale asked if anytime you are going to use an aptitude test, will you submit that test before it is used for approval to the Council?

Cheryl Olson said yes and they would make the correction to the language.

Randy Canale noted that on page 9, under Adjusting Differences in the Complaint Procedure, Nevada System of Higher Education is the sponsor, and it has the people to contact, including the Governor's Office of Workforce Innovation, but it does not state the right to appeal to the Council for any removal. It is there for violation of EEO standards, but not any right to appeal to the State of Nevada Apprenticeship Council.

Cheryl Olson stated that they did not delete any information specific to the appeal process and will add any additional language that is required.

Randy Canale asked if the employer agrees to that the language and do they know that if they terminated an apprentice and the Council found it to be not for a reason that was valid or appropriate to the standards that they may have that apprentice put back on them and they would have to complete their training?

Cheryl Olson confirmed that she discusses all of those regulations with the employers at the time that we go through the Employer Acceptance Agreement, so they are very aware of that process.

Richard Williams suggested that he would streamline this on the standards template and add specific NAC language that talks about how the apprentice can appeal.

Randy Canale noticed that for the position of Medical Assistant, there would be one apprentice in the beginning, they may go up to five, and this is an apprenticeable occupation, but is this one that is in high demand that we really need? The purpose of NRS 610 is to open to people the opportunity to obtain training that will put them for profitable employment and citizenship. Is Medical Assistant that kind of occupation?

Cheryl Olson made a clerical error on the 5910 form. Instead of one apprentice there should be 10 apprentices. The employer is interested in selecting 10 apprentices for the program for their first cohort. The particular occupation of Clinical Medical Assistant is an in-demand occupation and has a very bright outlook across the nation, but specifically in Nevada, so it is very much an in-demand occupation and a stackable apprenticeship for other clinical occupations within the healthcare field, specifically into nursing occupations or other allied health programs that at this time we do not have apprenticeship programs in place. The goal is to develop those so we truly can have a stackable progression through different apprenticeships for people that want to move up and through the healthcare occupations.

Stacy Bostwick did some due diligence on this in preparation for this action item and the Governor's Office of Economic Development produces a high-demand occupation analysis and this occupation ranks at 164. Out of thousands of occupations, it is relatively high demand. In 2018, there were more than 6,700 jobs in Nevada with this occupation and the wages associated with it are above average, which is commendable because average means half below, half above and there is an average about 800 openings a year in this occupation. From a general perspective there is a demand and this is an avenue to get both into a job and paid at the same time.

Chair Walden noted that on page 2, Section II, Equal Opportunity Pledge, the word 'on' should be added in the first line: the sponsor will not discriminate against the apprenticeship applicants or apprentices based 'on' race, color, religion.

Chair Walden said that on to Appendix A and the 5910, the pay scale states that you are going to have 10 apprentices and 100 journey workers in this field now that that number has been adjusted. The pay scale starting at \$13.00 an hour and ending at \$16.73, with 193 classroom instruction hours per year, 2,000 work hours throughout that timeframe. Is there a reason why there are no advances in pay throughout that timeframe since they are going to be in that program for 12 months? Most

programs have a stair-step of apprentice wages being increased throughout the time that they are in the program. Number one, it is an incentive for them to stick to it, number two, it gives them an idea that they are doing a good job when they see that their fees increasing as they are moving along, and it gives them more motivation to complete the program.

Cheryl Olson said that because it is a competency-based program the employer and she felt that there is incentive for the apprentices to work exceptionally hard in order to get their certification as a Medical Assistant, and at that time, they could complete the program prior to the completion of the 2,000 OJT hours. So there is an opportunity to increase their wages prior to that one year. But in order to keep with their standard process with wages across their organization, they wanted to keep at least it as a one-year period for the performance, but they anticipate a large portion of the apprentices will complete prior to one year and will earn their higher wage at that time.

Chair Walden asked that since the 2,000 hours and the 193 classroom hours are not necessarily a set-in-stone standard, are those just things they may have to do based on competency?

Cheryl Olson replied that the 193 hours of related technical instruction are mandatory, regardless of how many on-the-job hours it takes for them to complete their certification of a Medical Assistant, but the 2,000 hours of on-the-job training we anticipate it will be 2,000 hours, but there will be some applicants that have prior medical experience that might be able to complete in a shorter period of time, likely around 1,800 hours.

Chair Walden stated that is a 200-hour difference. If you take a 40-hour week, being 160 hours, that is a one-month difference. Are the 193 hours of class that they must take during work hours or after work hours?

Cheryl Olson replied that they will be paid for those hours, but it is outside of their normal hours.

Chair Walden asked are they scheduled for them throughout the year or can they take them at their own pace?

Cheryl Olson replied that they are scheduled for them throughout the year. Essentially, they complete those courses at the very beginning of the apprenticeship.

Chair Walden asked for clarification of the 193 class hours being done right at the beginning of the apprenticeship. They are not done two classes in January, two classes in February, two classes in March, April, and throughout the year or something like that? They are just done right back-to-back.

Cheryl Olson stated that is correct. The bulk of those hours are the Medical Assistant course through Truckee Meadows Community College, I believe it is 170 hours, so that is all up at the very front. That is the first thing that they start doing, but they will be working in the clinics outside of classroom hours as well.

Chair Walden said that they should take a look at maybe doing the stair-step advancements, because

a one-month difference in pay is not a big deal but it gives a sense to the apprentice and lets them know that their hard work and dedication is appreciated while they're going through the program. Moving on to Appendix C, the Affirmative Action Plan.

Mike Kennedy has one question on the 2,000 hours. Is it possible as an incentive because, sometimes 2,000 hours can go beyond a year, depending on hours worked in a medical office, can we put 2,000 hours or not to exceed one year?

Cheryl Olson said she include that language.

Chair Walden moving on to Appendix C, page D6, item F: an individual has completed a structured pre-apprenticeship training program that meets the requirements outlined in the training program, and this is for direct entry to the program. What kind of a pre-apprenticeship program can they have for this that will give direct entry?

Cheryl Olson replied that in the future they are hoping to work with the K-12 system and their CTE programs in the healthcare occupation to complete some of the certified Medical Assistant training that would prepare students to enter the Medical Assistant program, but at this time it is not completely ready to implement.

Chair Walden asked if they are coming out of high school with a certification as a Certified Nurse's Aide?

Cheryl Olson said that it could be the Certified Medical Assistant certification, however, that is probably unlikely. They will definitely have their basic life support and some other healthcare certifications that will basically give them a leg up for their apprenticeship and help them complete quicker, but that is not yet designed and in place, but that is very much the goal in the short to mid-term.

Chair Walden noted that Rancho High School has a program for medical something like a Medical Assistant or CNA. If they were to complete that program, would they come in at the same \$13.00 an hour or would they be able to use that to get an advancement in pay starting off in the program since they have already started off with probably 2-to-300 hours of experience or 2-to-300 hours of class time already? Because if you are working in that class, you are already doing technical work in the field.

Cheryl Olson said that at time that we have a direct-entry, pre-apprenticeship program in place, they would definitely adjust the wage schedule to reflect a higher starting wage for those students that are entering in a direct-entry program or a method to incentivize them and help them complete the program at a higher wage versus the existing \$13.00 an hour starting wage that is listed.

Chair Walden, referencing what **Richard Williams** just said, the minimum wage could be increasing to \$15.00 an hour in the next year or couple of years. If this is starting lower than that, how do you plan on adjusting it then if you are not adjusting it now? At least in stair-steps is it just

going to start with \$15.00 and go to \$16.73 at that point, or do you anticipate wage increases due to inflation and things such as that?

Cheryl Olson anticipates the employer will be increasing their wage schedule likely within the year, but at this time they felt comfortable with the mentioned \$13.00 to \$16.73 wage schedule and they have the opportunity to pay above those minimum rates, but at this time they just felt that it was prudent to have it listed on the lower scale at this time, but they do anticipate very regular wage increases. Also, to note that the apprentices will have full benefits at the start of the month after they enter the program. Likely within the first week of employment they will have full health, dental, retirement, childcare benefits, so the wage itself is not necessarily reflective of the benefits of the program. Benefits will be addition to their pay.

Richard Williams stated that he received a text from **Thomas Pfundstein** saying that he was on the call and to acknowledge that he is present for the record.

Craig Statucki said that currently we have 60 Medical Assistant programs in our high schools' programs across the state and he could work with **Ms. Olson** on coordinating between high school and her apprenticeship program if necessary.

Chair Walden asked if there any other discussion before we call for a motion hearing. Hearing no further discussion, he asked for a motion to approve the program status for NSHE Medical Assistant program with added changes that **Randy Canale** has asked for and that **Richard Williams** said that he would help adjust.

Randy Canale made a motion that we approve these standards with the mentioned adjustments.

Mike Kennedy asked that the language added for the program to be not to exceed one year after the 2,000 hours and how do we avoid making every employee part-time? Assuming there are full-time and part-time positions open, then the apprentice now may only get 20 hours a week so that extends their program into two years.

Cheryl Olson said that language will reflect not to exceed one year for a full-time employee only and that at this time the employer is only offering full-time apprenticeship programs. However, in the future, when we work with high schools, one reason that registered apprenticeship is problematic for high school students is because they cannot necessarily work full-time. To accommodate their schedules, they would like to have the opportunity to offer this as a part-time apprenticeship so they can attract high-school students in the future. But at this time there will be no part-time positions.

Mike Kennedy believes that seems to leave it open-ended. He understands trying to accommodate high school students, but it does give the employer the opportunity to work somebody less so that they can put off that wage increase.

Cheryl Olson will make the adjustment that the wage increase will happen at least once per year, regardless of the number of hours completed in their OJT.

Mike Kennedy so by saying that we are willing to do a tiered wage-increase program, can we have language that says if the apprentice is in the program more than one year, then they get a split between the starting wage and the ending wage?

Cheryl Olson will create language to address that. However, not quite sure the right way to do that without consulting the employer so perhaps at this time if she adds the language that the program would not exceed one year at this time. Then in the future when we have the opportunity to do youth apprenticeships and we need to adjust that, she will bring it back to the Council to make further changes to properly address those wage increases for part-time positions.

Chair Walden asked if there any other questions before we get a second on the motion?

Randy Canale withdrew his previous motion because he was not aware at the time of the part-time position. It should adjust to include the new changes that have been agreed to.

Chair Walden agreed because that is necessary for us to keep the motion on the proper ruling. Including the statements and the changes that we have had to the program standards, as far as wage increases and language, he asked to get a motion to approve the standards.

Chair Walden called for approval of the New Occupation with stipulated changes. Mike Kennedy made a motion. Madison Burnett seconded. All those in favor say "Aye." Those opposed say "Nay." Jeremy Newman and Thomas Pfundstein were opposed. There were no abstentions. The motion carried by a majority vote.

8. UPDATE ON THE STATISTICS OF CURRENT NEVADA APPROVED REGISTERED APPRENTICESHIP PROGRAMS
(Information/Discussion)
Richard Williams, State Apprenticeship Director

Chair Walden called on **Richard Williams** to provide the Council with an update on the Registered Apprenticeship Partners Information Data System (RAPIDS) statistics of current Nevada approved Registered Apprenticeship Programs.

Richard Williams referenced the Item_8_Painters_United_Yesco and the Nevada_Registered_Apprenticeship_Program_Status_Report_as_of-2021_02_01 documents that were posted on the public website. The statistics are based on the recommendation at the last meeting from **Council Member Jeremy Newman**. Three programs were chosen for discussion: DC16 Joint Apprenticeship & Training Trust/Northern Nevada Finishing Trades JATC with the Floor Layer, Painter, and Taper occupations, as well as the rest of DC16's programs in the south for Drywall Finisher, Floor Layer, Painter and Taper occupations; United Electric Service Apprenticeship & Training Program for Electrician occupation; Yesco for their Electric Sign Assembler occupation. Along with that, he took it a step further and provided a snapshot of all the programs. As mentioned, those numbers come from RAPIDS, which is a federal database that we utilize. Mr. Williams asked

Council Member Newman through Chair Walden if this is what you are looking for. This is the first time we have done this and he feels that this is a comprehensive report

Jeremy Newman stated yes that it is exactly what he was asking for, just a comprehensive report of all programs.

Randy Canale commented that looking at the numbers, with the NRS saying that we should have a 50-percent graduation rate, there appears to be low graduation rates on many of the programs.

Richard Williams said that the numbers are pulled from RAPIDS. Since he has been State Apprenticeship Director, he has been instructing on a continual basis all the programs to go in and make sure their numbers are correct in RAPIDS because that is the only data he has to present to the Council. If they are not correct, we ask the programs to please go into RAPIDS and verify these numbers.

Randy Canale knows his program does not look as well as it possibly could because they are a hybrid program with Plumbers and Pipe Fitters who at times have to withdraw one from one program to put in another although they are under the same set of standards. They did not really leave the program.

Chair Walden asked when you have an apprentice in the program, if they are removed under the probation period, they are not supposed to count against the program as even having been in the program, is that correct?

Richard Williams replied yes that is correct.

Chair Walden stated that his staff reported that removing apprentices under probation does not seem to be an option in RAPIDS anymore. It just gives you an opportunity to cancel, but it does not give you the reason to cancel them out, whether it is under probation or a removal from the training trust.

Doug Howell said he will take a look in RAPIDS and see what the issue may be. Every two weeks there is a teleconference about RAPIDS for any changes and modifications. You should be able to cancel an apprentice during the probationary period and have that not count against you as your cancellation, but that record will still be in saying that the apprentice was in the system during that time-period.

Randy Canale also noticed that a couple of the programs through the entire last five-year period had zero activity and asked if the Council should deauthorize them. The reason we wanted to know these numbers is to verify what is going on with the programs.

Richard Williams said there are a few programs that are tentatively scheduled to be on a future agenda that were brought before the Council last year to come back after 12 months because of the issues being discussed, and one of the numbers you are talking about is the Carpenters JATC Piledrivers, which is on the next agenda item. These reports help with the review process.

Chair Walden asked if there was any other discussion under item 8 and there was none.

9. UPDATE ON CURRENT OCCUPATIONS WITHIN A PREVIOUSLY APPROVED PROGRAM (*Information/Discussion: For Possible Action*)

An update/discussion on the current enrollment and statistics on the following Southern Nevada occupations within the previously approved standards of the Southwest Carpenter and Affiliated Trades Joint Apprenticeship and Training Committee (JATC) Southern Nevada.

Sponsor: Southwest Carpenter and Affiliated Trades Joint Apprenticeship and Training Committee (JATC) (Southern Nevada)

1. Drywall Applicator (Southern Nevada)
2. Drywall Finisher/Taper (Southern Nevada)
3. Pile Driver (Southern Nevada)

Chair Walden called for **Mr. Williams** to provide the Council with an update on RAPIDS statistics for the Southwest Carpenters and Affiliate Trades JATC of Southern Nevada.

Richard Williams stated that at the last Council meeting there was a motion made to do an audit and investigation and have the Southwest Carpenters appear at the meeting. He provided the numbers as of February 1, 2021, as in the previous agenda item, for the three occupations that were asked to be agendized. He received an email from the Carpenter's JATC saying that four pile-driver applications are in process. The Carpenters can speak on that when they present.

Chair Walden asked if any of the Council members have questions for **Mr. Williams** on the statistics just presented and with none asked if the Southwest Carpenters were in the audience to speak on these statistics.

Louis Ontiveros said that as he is representing the Southwest Carpenters Training Fund as Director. Since our last meeting, we have taken some corrective actions as **Mr. Williams** had mentioned but we went back and we looked at our programs and started the process of corrective action. Mr. Ontiveros turned representation over to **Jamie Robison, Educational Services Coordinator**.

Jamie Robison answered in response to the Council's inquiry regarding the performance status of the Drywall Applicator, Drywall Finisher/Taper and Pile Driver apprenticeship programs operated by the Southwest Carpenters Training Fund in both northern and southern Nevada. In summary, the Drywall Applicator program standards were last approved in 2010 in the north and 2017 in the south. At the time of the approval, records showed there were 14 active apprentices in the north and 79 active apprentices in the south. In review of records over a ten-year period, the program has seen growth seven out of ten years. Periodic fluctuations in indenture numbers are attributed

to Nevada economic factors for the construction industry. Since 2017, the program in the south has experienced increased indentures until the impact from COVID-19 last year. To date, the program's average retention percentage is 54.7 percent for Las Vegas and 48.11 for Reno. Of those that remained in the program, the completion percentages are 84.9 for Las Vegas and 87.59 for Reno over the four-year period from the time the apprentice is indentured until their journeyman date. For our Drywall Finisher program, in 2010, at the time the program was approved and registered, Southwest Carpenters Training Fund had identified ten apprentices performing drywall finish work for two contractors. While the number of contractors has increased, the indentures since then have fluctuated, recently becoming more consistent at two apprentices per year. Retention does however remain low with non-compliances, the leading reason for cancellations. The retention average is 27.5 and the completion average is 20 percent. Again, this is based on their indenture date and the completion date, the time they get out of the program. SWCTF is reaching out to our contractors and staff to be sure that apprentices are appropriately registered in the drywall finishing program, and our staff are looking internally to see if indentures are registered in the appropriate trade. This process is underway with expectations for new indentures as a result and to improve our retention percentages. Because this craft is closely related to the drywall, efforts are ongoing as **Director Ontiveros** indicated, to more effectively communicate with both contractors and staff and provide additional training if needed to ensure that the craft is being indentured appropriately. The Pile Driver program had one employer and two apprentices when approved and registered in 2011. Both apprentices were canceled in 2014, but since program approval, the number of contractors has increased to two. Retention and completion averages are currently at zero, but this is expected to change with recent new indentures. SWCTF believes the opportunities for this craft exist in Nevada and together with local union representatives, we will work more closely with contractors and others engaged in projects that utilize the Pile Drivers' special skills. SWCTF coordinators and staff, again, in response to this request for our program, have reviewed internal procedures and they are trying to verify indentures are properly registered in the appropriate trade. They have also initiated outreach to contractors that engage in the work that utilizes Pile Driver skills with some positive results as in the new indentures. Because it is closely related to some heavy highway and bridge carpenter skills, ongoing efforts, again, are underway to communicate more effectively and to provide additional training if needed for our staff.

Chair Walden asked if there are other representatives from Southwest Carpenters that would like to speak or if there is any other discussion under the Southwest Carpenters report.

Randy Canale asked if there was any motion to be made for this item. He also wanted to say that he appreciated that the Southwest Carpenters looked at their programs with their issues going on and are wanting to take positive action towards their deficiencies. The sum of all the reasons they gave are valid and it is good to recognize that they have a plan to move forward. **Mr. Williams** will continue to oversee this and make sure that they go in the direction that the Council wants it to go.

Chair Walden stated that there is not any motion to be taken. The agenda does say this is just to report on their statistics and what they are doing moving forward.

Richard Williams added that if **Chair Walden** did want to take action on this agenda item, it would have to be made in a motion on future items for another meeting.

Chair Walden said that if anybody would like to take any actions please make a note and mention it under Future Agenda Items and asked Mr. Williams to please deliver the State Apprenticeship Director's report.

10. STATE APPRENTICESHIP DIRECTOR REPORT (*Information/Discussion*)
Richard Williams, State Apprenticeship Director

Richard Williams reported that since our last meeting on November 19, 2020, we completed 437 verifications and issued 115 completion certificates. This is a good sign that the programs are still active and the apprentices are going through the programs and journeying out. As an update to the RAPIDS statistics on the Nevada Registered Apprenticeship Programs as of January 28, 2021, the number of registered program sponsors is 66. There are 6,046 active apprentices. By gender for male, we have 5,766, for female we have 260, and not provided 20. By ethnic group, Hispanic, we have 2,633, non-Hispanic, 2,917, and 496 that are not provided. By race, black 458, American Indian/Alaskan Native 155, Asian 131, Hawaiian/Pacific Islander 183, white 3,753, and not provided 1,366. By veteran we have 423 veterans, 5,566 non-veterans and 57 not provided. By age from 18 through 24 we have 2,280, 25 through 34, 2,582, and 35 and over 1,184. As mentioned in other meetings, it is good to report high numbers in the 18 through 34 age group. It shows that the programs are recruiting younger apprentices to come up through the ranks behind the aging journeymen and it is a good sign for the apprenticeship industry in Nevada. The NAC 610 draft revisions were presented to the Legislative Council Bureau (LCB) for review on December 23, 2020 and the document is posted on the LCB website. Mr. Williams announced that OWINN has a new Executive Director, **Isla Young**, who has been working with OWINN and has a lot of experience in work-based learning and workforce development. **Governor Sisolak** made the appointment and we are happy to have Isla on board as Executive Director.

11. U.S. DEPARTMENT OF LABOR REPORT (*Information/Discussion*)
Douglas Howell, U.S. Department of Labor

Doug Howell reported that the DOL/OA is still waiting on what direction the new administration will be taking and waiting for the Secretary of Labor to be appointed. Covid-19 is causing the agency to look at new and unique ways to make sure programs stay in compliance with CFR 29-29 and CFR 29-30 and he should have more information about that at the next meeting. We have the virtual ability to reach out to programs, but it is hard to look at records so as an agency we are trying to figure out different ways that we could be able to go out and do compliance or program reviews in the future. As of February 5, 2021, there is exciting news coming from Congress as The House passed the National Apprenticeship Act of 2021. It will now go to the Senate for further deliberation. We are unsure on how quickly it may go through the Senate, but certainly The House wasted no time in acting and putting some marks down. Among many things to include in this bill, it calls for a significant increase in grant budgets and staffing budgets for our

agency, which helps us expand the scope of the office to oversee pre-apprenticeship in addition to youth apprenticeship and Registered Apprenticeship Programs. Also, Mr. Howell looked in RAPIDS at the cancellation of an apprentice. They do have canceled during probationary period and it is adjusted for what the summary of your cancellation period is already set into the system. Calculating it, as long as they are within that period, they will be canceled under probationary period. It is adjusted by hours.

12. FUTURE AGENDA ITEMS
(Information/Discussion: For Possible Action)

Jeremy Newman and **Madison Burnett** would like to discuss what was brought up earlier about the construction minimum wage concerning NAC 610.490, and to see if the Council may pause enforcement of removing programs per NAC 610.365, because of COVID and giving the programs time to update their RAPIDS data.

Richard Williams requested latitude on placing or not placing NAC 610.490 and NAC 610.365 on a future agenda so he could investigate and discuss it with the Attorney General's office. **Mr. Newman** and **Mr. Burnett** agreed.

Chair Walden asked if there any other future agenda items any Council members would like to add. Hearing none, moved on to item 13.

13. PUBLIC COMMENT
(Public Comment emails sent to ajfeijoo@gov.nv.gov will be read by the State Apprenticeship Director)

Chair Archie Walden called for second Public Comments and/or emails to the OWINN office. He again asked if there were any comments from the Public that were listening on the phone. **Hearing none** he then asked **Mr. Williams** if any emails were received.

Richard Williams affirmed there were none.

Chair Walden closed the second public comment.

14. ADJOURNMENT
Chair or Vice-Chair

Chair Walden adjourned the meeting of the State Apprenticeship Council at 10:22 A.M.

NOTE (1): Persons with disabilities who require special accommodations or assistance at the meeting should call the Governor's Office of Workforce Innovation (OWINN) at 702-486-8080 on or before the close of business, Friday, February 5, 2021.

NOTE (2): Agenda items may be taken out of order, combined for consideration by the public body, and/or pulled or removed from the agenda at any time. The Chair may continue this meeting from day-to-day.

NOTE (3): All public comments need to be emailed to ajfejoo@gov.nv.gov. Comments based on viewpoint may not be restricted. Pursuant to NRS 241.020, no action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken. Prior to the commencement and conclusion of a contested case or quasi-judicial proceeding that may affect the due process of individuals, the Board may refuse to consider public comment. See NRS 233b.126

NOTE (4): Please provide OWINN with electronic or written copies of testimony if you wish to have complete versions included as exhibits with the minutes.

NOTE (5): Supporting public material provided to members for this meeting may be requested from the Governor's Office of Workforce Innovation (OWINN) by calling Joan Finlay at 702-486-8080

Governor Sisolak's Directive 006: As per Governor Sisolak's Declaration of Emergency Directive 006, issued March 22, 2020, and extended by Directive 029 Section 4, certain provisions of Nevada's open meeting law contained within NRS Chapter 241 have been suspended due to Nevada's state of emergency. Directive 006 states:

1. The requirement contained in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended.
2. If a public body holds a meeting by means of teleconference or videoconference and a physical location where members of the public can attend is not provided; the public body must provide a means for the public to provide public comment, and post that means on the public notice agenda posted in accordance with NRS 241.020. Public comment options may include, without limitation, telephonic or email comment.
3. The requirements to contained in NRS 241.020(4)(a) that public notice agendas be posted at physical locations within the State of Nevada are suspended. Public bodies must still comply with the requirements in NRS 241.020(4)(b) and NRS 241.020(4)(c) that public notice agendas be posted to Nevada's notice website and the public body's website, if it maintains one along with providing a copy to any person who has requested one via U.S. mail or electronic mail.
4. The requirement contained in NRS 241.020(3)(c) that physical locations be available for the public to receive supporting material for public meetings is suspended.
5. If a public body holds a meeting and does not provide a physical location where supporting material is available to the public, the public body must provide on its public notice agenda the name and contact information for the person designated by the public body from whom a member of the public may request supporting material electronically and must post supporting material to the public body's website if it maintains one.
6. A public body that holds a meeting pursuant to this Executive Order must ensure that any party entitled to or required to appear before it shall be able to do so through remote means and fully able to participate in the agenda items that pertain to them.

Meeting Location: Due to the current state of emergency in Nevada, and as allowed in Governor Sisolak's Directive 006, there will be no physical meeting place for this meeting. Board Members and members of the public may only participate via telephone.

OWINN's Public Meetings website - <http://owinn.nv.gov/Apprenticeship/Meetings/Meetings/> and Nevada's Public Notice website at <https://notice.nv.gov/>, as required by NRS 232.2175.