

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 for a New Nevada (OWINN)

Date and Time of Meeting: November 28, 2017 at 1:00 P.M.

Note: Some members of the Council may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following locations:

Place of Meeting: Old Assembly Chambers
101 N. Carson Street; Carson City, NV 89701

Grant Sawyer Building, Governor's Conference Room
555 E. Washington Ave; Ste. 5100; Las Vegas, NV 89101

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: Randy Walden, Chair, Nanette Quitt, Vice Chair, Jo Cato, Linda Montgomery, Louis Loupias, Crystal VanDyke, Jason Lamberth, Madison Burnett, Bob Potts, Dr. Ricardo Villalobos, Kristine Nelson, Dr. J Kyle Dalpe

Council Members Absent: Lance Semenko (excused)

Others Present: Manny Lamarre (OWINN), Joan Finlay (OWINN), Erin Hasty (SAC), Andres Feijoo (SAC), Gregg Ott (DAG), Gerry P. Ghazi (J.D. Federal/State Apprenticeship Consultant; US DOL/ETA Office of Apprenticeship), Cheryl Olson (TMCC), Debra Collins (WF Connections), Oscar Grant, Ron Speigle (Smart 88), Ed Abraham (Sheet Metal Local 88|JATC), Byron K. Harvey (Smart 88), Dawn Burns (NDE), Echo Svoboda (PHCC of Nevada), Vic Poma (PHCC of Nevada), Douglas Howell (USDOL/OA), Colleen Henry (USDOL/OA) Ray Gort (Local 12), Raul Galaz (Roofers L-162), Beckie White (PHCC Of Nevada), Tracy Garry (PHCC of Nevada), Jeff Vaughn (Nevada Partners, Inc.), Bill Stanley (SNBTU), Marvin Gerbers (Plasterers & Cement Mason Apprenticeship), Carrie Henderson (Plumbers & Pipefitters JATC 525), Dale Stubblefred (Plumbers & Pipefitters JATC 525), John Wiles (UCIC), Jack Gray (BAC NV), Bryce Loveland (Brownstein on behalf of JATC #525), Al Lopez (Smart 88), Tom Erwin (Local 501), Perry Urson (LVGEA), Craig VonCollenberg (CSN), Randy Dimick (Plumbers & Pipefitters 525), Tom Nielsen (Roofer & Water Proofer JATC), Lauren Garfinkel (Panasonic energy), Zachary Kumler (Panasonic), Stephanie Ramoser (Local 501), Archie Wallen (Local 872 WACA), Melissa Scott (Nevada Dept. of Education), Hayley Smith-Kirkham (Labor Market Information Office).

**Please note that all attendees may not be listed above.*

I. CALL TO ORDER & WELCOME
Randy Walden, Chair

Chair Walden called the meeting to order at **1:00 p.m.**, welcoming Nevada State Apprenticeship Council Members and members of the public before asking Erin Hasty to call Roll.

II. ROLL CALL - CONFIRMATION OF A QUORUM
Erin Hasty, Apprenticeship Director, OWINN

Erin Hasty called roll and informed the Chair that a quorum was present.

III. VERIFICATION OF PUBLIC POSTING
Erin Hasty, Apprenticeship Director, OWINN

Ms. Hasty affirmed that the notice and agenda for this November 28, 2017, Nevada State Apprenticeship Council; Governor's Office of Workforce Innovation Council Meeting was posted according to Nevada's Open Meeting Law pursuant to NRS. 241.020.

IV. PUBLIC COMMENT(S)
(Public Comment will be taken regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on an agenda as an item on which action may be taken. The Chair of the State Apprenticeship Council will impose a time limit of three minutes. Public Comment #2 will provide an opportunity for public comment on any matter within the Council's jurisdiction or advisory power.)

The First Public Comment Session was announced by the Chair, and after reading the statement above into the record, the public was invited to speak.

Bill Stanley introduced himself as representing the Southern Nevada Building Trades Union. They currently represent 15 building trade unions with 21 Nevada registered apprenticeship programs, collectively known as the Southern Nevada Apprenticeship Program. He provided brochures to members of the Council. There are 66 registered programs in Nevada with 3,577 registered apprentices. Ninety-one percent of the registered apprentices are union affiliated and 99 percent are craft affiliated. Eighty percent of registered programs are union affiliated. Eighty-eight of registered programs are craft affiliated. The dominant entity is construction craft apprenticeship programs. That is what this Council at its genesis was created to regulate. Ensuring this focus is important. In 2017, the building construction trades in both northern and southern Nevada supported SB516, which created the office of OWINN and transferred the Apprenticeship Council from the Office of the Labor Commissioner to OWINN.

The northern and southern building trades worked with the Governor's Office to expand the Apprenticeship Council from seven to nine voting members. They also supported the expansion of the ex-officio members. With the expansion, three members of the Southern Nevada Apprenticeship Program were appointed to this Council, however, there is disappointment that the northern Nevada Building trades are not represented. The northern Nevada building trades represent 18 apprenticeship programs and deserves representation on the Council. Collectively, the

northern and southern Nevada building trades represent 39 registered apprenticeship programs. Registering the apprenticeship programs with the State is voluntary. The benefits to registration are that apprentices in registered programs may be compensated at a rate below the journeyman rate of pay. This provides opportunities for apprentices. The programs are self-funded. The Southern Nevada Building Trades Union wants to partner with this Council to ensure that the construction workforce of the future is properly trained to support the State.

V. MEMBER INTRODUCTIONS

Erin Hasty, Apprenticeship Director, OWINN introduced herself, noting that she would be serving in administrative support of the Council. She shared a summary of her background as did the following members of the Council: Madison Burnett, Linda Montgomery, Crystal VanDyke, Jo Cato, Nanette Quinn, Louis Loupias, Jason Lamberth, Manny Lamarre, Dr. Ricardo Villalobos, Randy Walden, Dr. J. Kyle Dalpe, Kris Nelson and Bob Potts.

VI. APPROVAL OF AGENDA (Discussion/For Possible Action) Randy Walden, Chair

Chair Walden called for approval of the published agenda.

Vice Chair Quitt made a motion to approve the agenda. Jo Cato seconded. The motion carried unanimously.

VII. LABOR MARKET FORECAST & INDUSTRY ANALYSIS (Information/Discussion) Bill Anderson, Chief Economist, Research & Analysis Bureau, DETR Bob Potts, Research Director, GOED

Bill Anderson provided a review of the economy and labor market, noting that 240,000 jobs were added during the recovery, with Nevada having the fastest growing private sector in the nation in terms of job growth. Approximately 115,000 small business jobs have been added with a record high number of overall employers. Average weekly wages are at record highs. The unemployment rate peaked at approximately 14 percent during the recession and is currently at 5 percent. Unemployment insurance claims have dropped by nearly two-thirds. For the first time ever at the end of the third quarter, the unemployment insurance trust fund breached the \$1 billion mark. Nevada lost 186,000 jobs during the recession and has gained back 240,000 jobs and been at record employment levels since mid-2016. The recovery has been diversified and broad-based. As of the first three months of 2017, Nevada had the most pronounced job growth in the nation. There have been 25 quarters of straight growth quarters in the number of employers. Wage growth is trending up, settling at 2.5 to 3 percent. It is anticipated that 40,000 new jobs will be added per year through 2019.

Hayley Smith-Kirkham addressed trends on the long-term occupational projections. Nevada is expected to add 313,000 jobs over the ten-year period ending in 2024. In addition to these new jobs, it is expected there will be a need to fill 321,000 existing jobs. The largest sectors will add the most jobs, which include food preparation and serving related,

office and administrative support as well as sales occupations. The fastest growing occupational groups include production, architecture and engineering and construction and extraction.

Bob Potts addressed Nevada's diversifying economy. There has been a change in the mix of industries from 2010 to 2016. Standout growth industries include health & medical, logistics & operations, information technology and manufacturing. The growth is due in part to economic development efforts. Assisted jobs are those that would not exist without the assistance of a State agency, regional development authority or a local economic development office. Nevada has a higher concentration of mining workers than the national average and the percentage is growing. Tourism, gaming and entertainment also has a higher concentration than the national average, however it is losing pace. Emerging sectors include information technology, healthcare, manufacturing, logistics & operations. Transforming sectors include natural resources and aerospace & defense. A list of important factors companies consider in relocating to Nevada include:

- Availability of a qualified workforce
- Competitive cost environment – labor, utilities, real estate, transportation, taxes
- Favorable logistics/accessibility – air, highway, rail, port
- Favorable business environment – taxes, incentives, permitting
- Quality of place – ability to recruit/relocate key workforce

Forty-six percent of the occupations in highest demand require between a high school diploma and less than a Bachelor's degree. Seventy-five percent require some form of on-the-job training.

Kristine Nelson asked Mr. Potts whether the slide 9 graph includes secondary education, work-based learning or youth data points. **Bob Potts** replied that the data points are occupational definitions and he did not have an answer to this question at this time. After further contemplation, he clarified that secondary education refers to all postsecondary work-based learning.

Kyle Dalpe referred to the DETR presentation on the 5 percent jobless rate and requested a definition of jobless rate versus unemployment rate. **Bill Anderson** clarified that the two terms are identical. As of October 2017, the rate is exactly 5 percent.

VIII. APPRENTICESHIP AS A WORKFORCE STRATEGY (Information/Discussion)
Manny Lamarre, Executive Director, OWINN

Manny Lamarre reiterated that the majority of jobs being created that also pay well are middle skill jobs. They require more than a high school, but less than a four year degree. For every ten students who start ninth grade, slightly more than seven will complete their diploma in a five-year period. In 2014, this meant that approximately 10,260 students did not complete high school. A little more than four students in ten will enroll in postsecondary education and approximately 33 percent will complete that postsecondary education.

Governor Sandoval created OWINN via Executive Order in March of 2016, codified in statute via SB516 passed during the last legislative session. Focus outcomes include:

- Prepare all K-12 students for college & career success
- Increase number of Nevadans with postsecondary degrees & credentials
- Increase employment outcomes in training and credentialing programs

Core strategies include:

- Assess workforce policies at the state level and provide strategic support and direction for the implementation of the federal Workforce Innovation and Opportunity Act (WIOA)
- Design career pathways
- Scale registered apprenticeships in existing and emerging industries
- Leverage labor market and workforce data
- Validate industry-recognized credentials

Nevada is building capacity to scale high quality apprenticeships that lead to middle class careers. OWINN is a coordinating agency, focused on expanding registered apprenticeships in traditional and emerging industries as well as to underserved and non-traditional populations. Changes to the apprenticeship structure were made via SB516 and include:

- Labor Commissioner to OWINN
- Demonstrate linkages and coordination with the state's economic development strategies and publicly funded workforce system, expansion to high-demand and high-growth industries
- Governor appointed State Director
- Adopt regulations pursuant to 29 C.F.R. Parts 29 and 30 – time-based, competency-based hybrid
- Nine voting members and 4 non-voting members
 - Regulatory body
 - Governor appointments of voting members consisting of employers, labor, K-12 schools, community colleges and economic development representation
 - Can serve no more than four terms
 - Meet at least quarterly

Responsibilities of the director include:

- Promote RA programs through public engagement activities and their initiatives
- Ensure info and resources available to the public on RA
- Web-based site on RA
- Assist Council in identifying opportunities for linkages and coordination with the State's economic development strategies and publicly funded workforce system

- Coordinate community-based outreach initiatives designed to promote RA opportunities among students, displaced workers and other persons with barriers to entering the workforce
- Prepare budgets and compile reports to Legislature
- Perform other administrative duties on behalf of the Council
- Technical support to employers

Chair Walden commented that there is a huge opportunity for apprenticeships to address students who do not complete high school or pursue postsecondary education.

IX. SAC DUTIES & RESPONSIBILITIES (Information/Discussion)
Erin Hasty, Apprenticeship Director, OWINN

Erin Hasty reviewed the duties and responsibilities of the State Apprenticeship Council (SAC) per NRS 610.090:

- Approve programs and standards
- Adopt regulations to carry out the intent and purpose of the chapter
- Serve as a regulatory body
- Meet at least quarterly (February, May, August and November)
- May have additional meetings when called by the Executive Director of OWINN, Director of Apprenticeship, Chair of SAC and/or by vote of the majority of members (five voting members constitute a quorum)

Program standard requirements include:

- Have an organized, written plan embodying the terms and conditions of employment
- Contain the pledge of equal opportunity clause
- Contain provisions A-V of 610.144 (c)

In response to a question from **Bob Potts**, **Manny Lamarre** confirmed that the presentations are available on the OWINN website.

X. DEFINING APPRENTICESHIP & STRATEGIC INNOVATION (Information/Discussion)
Gerald P. Ghazi, J.D. Federal/State Apprenticeship Consultant; U.S. DOL/ETA Office of Apprenticeship

Gerald Ghazi provided an overview of his professional background and discussed the apprenticeship talent development model, which fits within Nevada's workforce development strategy. Registered apprenticeships (RA) are vehicles for building a competitive workforce. As the workforce ages, a registered apprenticeship provides a model for individuals with no experience to be invested in by employers. Unions have been utilizing registered apprenticeships since before inception. Registered apprenticeships meet the needs of an ever-changing workforce for new hires and incumbent workers.

The five core components of a registered apprenticeship include:

- Employer involvement
- Related instruction
- Structured on-the-job learning
- Rewards for skill gains
- National occupational credential

The framework for registered apprenticeship includes:

- 5 Core Components:
 - Employers
 - Employer is the foundation for the RA program and must be directly involved and provider of on-the-job learning
 - Utilize RA apprenticeship as a key business engagement strategy and incorporate in sector strategies
 - Related instruction
 - 144 hours recommended per year
 - Parallel, front-loaded, segmented options
 - Provide supportive services to participants or use training funds or customized training
 - Structured on-the-job learning with mentoring
 - Minimum of 2,000 hours
 - Structured and supervised
 - Use workforce funds to help apprentices get on-the-job learning
 - Reward for skill gains
 - Increases in skills brings increases in earnings
 - Count apprentice wages in the earnings performance measure
 - National credentials
 - Nationally recognized credential showing job proficiency
 - Sponsor certifies individual is fully competent for career
 - Count the RA national credential in the new performance measure for credential attainment
- 4 Key Roles: Employers, sponsors, education providers, workforce system
- 3 Ways to Complete: Time-based, competency-based (no time limits), hybrid
- 2 Ways to Register: U.S. Department of Labor and State apprenticeship agencies
- 1 System with nationally recognized credentials

Registered apprenticeship is flexible and adaptable. Each employer can define its desired model. **Gerald Ghazi** reviewed several example models. A pre-apprenticeship model is crucial. The U.S. Department of Labor defines quality pre-apprenticeship programs. A sample pre-apprenticeship model includes 80 hours of related technical instruction and 200 hours of on-the-job learning. It is structured so that participants of the pre-apprenticeship program can directly enter a regular apprenticeship program. They can take their credit hours and apply them to the first year of apprenticeship.

Four key roles within registered apprenticeships include:

- Employers
- Sponsors
- Public workforce system
- Educational provider

Entities who may play some or all roles include:

- Employer
- Union
- Workforce Development Board
- College or University
- Nonprofit intermediary
- For-profit intermediary
- Community-based organization
- Third party training provider

Three ways to complete a registered apprenticeship include:

- Time based programs: Apprentices complete a required number of hours in on-the-job training and related instruction.
- Competency-based programs: Apprentices progress at their own pace. They demonstrate competency in skills and knowledge through proficiency tests, but are not required to complete a specific number of hours.
- Hybrid approach: Uses minimum and maximum range of hours and the successful demonstration of identified and measured competencies.

Two ways to register apprenticeship programs are through the Department of Labor and through the State Apprenticeship Council. All workers who graduate from a registered apprenticeship receive a national, industry recognized, portable credential.

XI. PROPOSED PROGRAMS (Information/Discussion; For Possible Action)

- a) Discussion and possible action regarding the approval of the new programs for Workforce Development Specialist, CNC Operating Mechanic, Production Operator, Industrial Maintenance Mechanic, CNA; Workforce Connections and Board of Regents, Nevada System of Higher Education, dba Truckee Meadows Community College

Cheryl Olson stated that Truckee Meadows Community College (TMCC) is offering federally recognized apprenticeship programs. It is hoped that these can be moved to the State Apprenticeship Council. Two new programs are being proposed, including Workforce Development Specialist and Production Operator. These programs are offered as a partnership between Workforce Connections and TMCC and are competency based hybrids. The majority of programs are offered exclusively in northern Nevada, with the exception of the Workforce Development Specialist Program, which will be offered in southern Nevada.

Oscar Grant introduced himself as one of the nine certified instructors for workforce development training. They built over 200 hours of curricula to provide to subcontractors working with Workforce Connections. It is a competency based set of RTI based on skills and 144 hours of front loaded training and online training. Trainings are designed for both youth and adult workers. They will participate in courses at Workforce Connections three times per month.

Cheryl Olson stated that the CNC Machine Operator Program was developed with employer partners to ensure that it meets workforce needs. It is a competency based two-to three-year program. It aligns with the course work required for a certificate of achievement from TMCC. The Industrial Maintenance Mechanic Program is a hybrid program, anticipated to be a two- to three-year program. It was developed in partnership with employer partners. It results in a certificate of achievement in industrial maintenance from TMCC. The Production Operator Program, which is a P3 curriculum program, and is a hybrid, year-long competency based program. Panasonic is our employer partners. Participants will earn a certificate of completion from TMCC. The Certified Nursing Assistant Program is a one-year competency based program and meets the requirement of the State Board of Nursing to sit for the Certified Nursing exam. Those who complete the program will receive a skills certificate from TMCC.

Madison Burnett stated that the program description for Workforce Development Specialist does not include probationary information. He also questioned the starting wage.

Cheryl Olson said the salary is based on a survey and validation approach.

Debra Collins stated that there are minimum wages with consideration of the livable wage guidelines and that what we based it on.

Madison Burnett asked about a scale that defines wages according to the time spent in the program.

Oscar Grant said this will be stipulated in the agreement.

Vice Chair Quitt commented that in terms of wage progression, her experience is that a percentage of wages is commensurate with the progression of the program.

Oscar Grant said they began with a minimum and then a journey worker's wage. Because it is competency based, some may complete the program faster than six months.

Vice Chair Quitt stated that from a Council perspective, in a worst-case scenario, an apprentice may come before the Council because they feel they have been treated unfairly. They may feel they achieve a competency that their peers did not. They may also feel treated unfairly when they do not receive an increase, while a peer did receive an increase. For fairness, guidelines are needed to identify the criteria objectively.

Jason Lamberth said the term length description states 4,000 hours. However, in the appendix, the term of apprenticeship states a length of 4,000 to 8,000 hours, which would be two to four years. The schedule provides two-year and three-year examples, but no four year example. The related instruction outline only provides three years of curriculum.

Cheryl Olson explained that there was a typo on the application. The anticipated length should be stated as 6,000 hours.

Vice Chair Quitt commented that a majority of the concerns regarding questions on the proposed programs relate to the new revised OWINN template for agreement. In reviewing the template, it is notable that there is no affirmative action plan. It is the assumption that in accordance with NRS 610.144, a new program has the ability to operate for two years prior to submitting an affirmative action plan.

Erin Hasty agreed, noting that the EEO clause will have to be phased in.

Vice Chair Quitt inquired as to Ms. Hasty's role in tracking these issues (i.e., quarterly director's report).

Erin Hasty stated that quarterly reports will be provided. There is a two-year probationary period for each program.

Discussion continued on wage progression details, definition of hours and credit hours, course and program detail questions.

Manny Lamarre addressed the issue of defining similar programs and asked about the objectives.

Jason Lamberth stated that he was going by what is written in the NAC: *"A program of apprenticeship as proposed by an employer or association of employers for registration with the Council and the Council has previously registered a program with similar objectives for a similar job. The Council will provide a copy of the standards of the proposed program to the sponsor of the registered program."*

Erin Hasty suggested this be agendized for future discussion.

Jason Lamberth noted that the NAC and revised statutes were mailed out well in advance to each member of the Council. As such, the Council should abide by the revised statutes in the administrative code.

Manny Lamarre stated that everyone is on the same page in terms of complying with NAC. However, the term "similar program" invites a subjective definition of what a similar program is. It might be helpful to reach out to DAG and have further discussion about defining "similar program" objectively.

Jason Lamberth suggested that it would be helpful to have a representative from the DAG's office at future meetings.

Manny Lamarre clarified that a representative is currently present from the north.

Gregg Ott stated that the issue likely requires further research.

Manny Lamarre added that further information would be provided in regards to the definition of "similar program" and more clarification is the challenge.

Jason Lamberth asked that the standards be tabled until clarification can be provided from the Attorney General's Office.

Chair Walden suggested that the Council proceed with the agenda and revisit this issue.

Vice Chair Quitt stated that she has no further questions regarding Item XI (A), Appendix A, but she does have questions regarding Agenda XI (A), Appendix C regarding wage, competency and wage progression of apprentices. It does not appear to be defined by the program as yet. She asked if any of one is presently representing the employers' office.

Debra Collins stated that no representative was present.

Erin Hasty stated Appendix A is the minimum requirement. She addresses to Madam Vice Chair Quitt concerns can we add per confident of the apprenticeship agreement. When they are having the certain competency, of hours, that will get a certain percentage increase, etc.

Jason Lamberth agreed we should add it to the apprenticeship agreement. We could look at it monthly or within the meeting as well.

****Chair Walden noted the difficulty in hearing speakers, due to the loud prevalence of papers shuffling and speakers not speaking loudly and clearly. After the admonishment, the shuffling of papers continued with no ability to capture the comments being made.**

Chair Walden made comments, which were not captured, due to ongoing shuffling papers and other audible disturbances.

Manny Lamarre asked Chair Walden to repeat his comments.

Chair Walden stated that he is attempting to get clarity regarding the concerns being expressed on each application. Receiving clarity on the issues would allow resolution now. Alternatively, the Council might provide its approval pending clarification subsequent to the meeting.

Vice Chair Quitt stated that her first question refers to Item XI(A), Appendix A, occupation and educational checklist for the CNC Machine Operator. The program

presenter today was unable to answer the question related to the fact that the hours and the units are not correctly stated in the form that they submitted. Her second question relates to administrative error under the same section for Industrial Maintenance Mechanic related instruction outline compared to the course proper description. The program sponsor indicated that the quality control unit course MPT140 listed in the top description should not have been included, meaning that it is not a required course to be completed by program participants.

Chair Walden reiterated that clarification is needed.

Cheryl Olson provided comments on the hours for the CNC Machine operator program and stated that she would correct the totals provided in the table. The courses listed are correct, and the program meets the minimum 144 hours related technical. Instruction per year at the apprenticeship program is a competency-based program.

Vice Chair Quitt referred to Item XI(A), Appendix E and stated that she would like to see the program resubmit a competency-based progression wage plan or objective measure for achieving wage increases.

Madison Burnett stated that they are working on this. However, it is not yet included.

Vice Chair Quitt stated that as a Council Member, she would need to see a complete packet to ask any relevant questions. She requested that the program submit the requested information.

Vice Chair Quitt made a motion to table the programs until the next Apprenticeship Council meeting regarding addressing three items: DAG interpretation of similar programs; Item 11(A) Appendix A typographical errors; revise Item 11(A) Appendix C wage progression requirements. Madison Burnett seconded. The motion carried. All were in favor; none were opposed. Linda Montgomery abstained.

Jason Lamberth addressed competency based wage progression and asked how this could be tiered amongst 13 organizations in a fair and equitable structure.

Madison Burnett recommended beginning with a starting salary. After six months or 500 hours, upon completion of certain skill sets, the participant would tier to the next wage.

Manny Lamarre suggested continuing the conversation and stressed the need for consistency.

Louis Loupias suggested that the program sponsors submit a 5910 to the Council to provide clarification. All other programs submitted to the Council include 5910, which shows the progression of wage rates on the percentages.

Madison Burnett added that the difficulty following the rates relates to the fact that some are hourly and some yearly salaries. There needs to be some consistency.

Linda Montgomery said that there is a disparity between the traditional apprenticeship program, which is hour-based versus the competency-based model (and the achievement of certain knowledge, skills, and abilities) needs to be tied to the employer agreement on the wage progression, so there is more of a linear platform.

Vice Chair Quitt agreed. There was discussion regarding methods for achieving this goal. She also mentions about Item #XII on the agenda "Consent Items" there a common form that's been used by state apprenticeship council form 5910 clearly outline varies at-glance-format. It was a format that was used by the council and audience members.

Erin Hasty, Each employer, will be writing their appendices, each employer will be different. The appendix is the minimum and maximum and will have the progression as long as each employer is meeting each minimum.

11- b) Discussion and possible action regarding revision of standards for the existing program; Plumbing Heating Cooling Contractors Nevada (PHCC) Education Foundation

Echo Svoboda stated this is a program revision by the PHCC of Nevada.

Vice Chair Quitt asked that the program provide a brief overview of the regional standards presented to the Council.

Echo Svoboda explained that a many of the changes are clerical. The primary change is regarding lowering the number of required work hours throughout the four years. They would like to reduce the hours from 1,000 to 900 for the six-month probationary period, with the full term of apprenticeship to be 7,200 hours, not less than four years.

Madison Burnett noted that for a four-year program description, the term shows 576, which should be updated to 7,200.

Echo Svoboda said 576 refers to classroom hours as opposed to on-the-job.

Louis Loupias suggested keeping the meeting progresses. In the past, they have had the program sponsor highlight the proposed changes with Council Members subsequently asking questions.

Echo Svoboda continued to review the revisions.

Vice Chair Quitt stated that the program presenter indicated the only substantial change was the hour reduction from 8,000 to 7,200. The program presenter has done a good job of highlighting tracked administrative changes. It is not necessary to review the changes page by page. She did note that the Chairperson's signature was not present on the copy provided and the program presenter should obtain an electronic copy of the signature.

Louis Loupias under 5910 - noted the absence of fringe benefits and asked whether they are offered.

Echo Svoboda said there are no benefits offered through the PHCC apprenticeship training program. However, the employer may offer them.

Madison Burnett pointed out that the wage scale on the apprenticeship agreement does not match the 5910. I don't know how critical that is and it's your latest.

Echo Svoboda stated that on the packet was submitted back in June and we have updated since then.

Jason Lamberth referred to Section 16 of the standards and noted that the ratio is 1:1. The NAC shows a construction ratio of 3:1 (three journeymen to one apprentice per construction program).

Echo Svoboda stated that the program would make the change for compliance purposes.

Jason Lamberth noted that his interpretation of the administrative code is that any new program requires notification. He asked whether program revisions also require notification.

Gregg Ott stated that as there were no similar programs, no notice was provided. The language from the proposal states that the ratio is 1:1 and shall not be less than as required by company and project pursuant to NAC 610.438. Under this proposal, they would not be allowed to do anything more aggressive than the NAC permits.

Jason Lamberth stated that he did not follow the explanation and asked for clarification.

Gregg Ott quoted from Section 16: *"The ratio shall be one journeyman to one apprentice and shall not be less than as required by company and project pursuant to NAC 610.438."* There are two components limiting their ratio, including the 1:1 ratio they have called "other." The other is whatever ratio is prescribed by NAC 610.438. They would be constrained by whichever of those is more conservative. With regard to the notice of the similar programs, he would like to research what the apprenticeship's past relationship has been in terms of notification.

Vice Chair Quitt made a motion to approve the program with the noted changes and subject to confirmation from the Attorney General's Office that only new programs are coming before the Council to be approved and that this item only refers to the revision of a current standard.

Discussion:

Gregg Ott stated that if the proposed motion passed, it would stay until he responded to the Council Chair that no notice was required, at which point the notification would take effect.

Linda Montgomery seconded. The motion carried unanimously.

XII. CONSENT ITEMS (Information/Discussion; For Possible Action)

Jason Lamberth recused himself from a portion of the consent agenda (Items b, d, e, f, and g), due to his relationship with the JATC programs.

Chair Walden, we can review them separately.

- a. Northern Nevada Electrical Training Center
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Inside Wireman apprentices
- b. Sheet Metal Workers' Local Union #88 JATC
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Sheet Metal Worker

Jo Cato made a motion to approve Items a and b. Louis Loupias seconded. The motion carried. Jason Lamberth abstained.

- c. Painters JATC
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Painter apprentices
- d. Drywall Finish JATC
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Drywall Finisher apprentices
- e. Floor coverers JATC
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be floor coverer apprentices
- f. Nevada Glaziers JATC Architectural Glazier
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Architectural Glazier apprentices
- g. Nevada Glaziers JATC Master Glazier
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Master Glazier apprentices

Jo Cato made a motion to approve Items c, d, e, f and g. Crystal VanDyke seconded. The motion carried. Jason Lamberth abstained.

- h. United Association of Journeyman and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local 350
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be H.V.A.C. apprentices

Madison Burnett made a motion to approve Item h. Jason Lamberth seconded. The motion carried unanimously.

XIII. FUTURE MEETING DATES (Information/Discussion; For Possible Action)
Erin Hasty, Apprenticeship Director, OWINN

There was discussion regarding the upcoming meeting dates. It was agreed that the February 2018 meeting would occur on either February 6th or February 13th, to be determined.

XIV. APPEALS (Information/Discussion; For Possible Action)
Appeal of dismissal and possible reinstatement in training program; Randy Dimick vs. Pipe Trades Joint Apprenticeship and Journeyman Training Committee, UA Local 525

Randy Dimick provided his background as a lifelong Nevada resident. He noted that he did not have the required work hours for the Pipe Trades Joint Apprenticeship and Journeyman Training. He explained that the reason for the inadequate hours related to his transfer from another training program. At the time he spoke with the Local 525 Committee and at the time of his cancellation, his hours were 300 hours short and at 90 percent of completion. This should have allowed him to test out. In response to a question from **Madison Burnett**,

Randy Dimick confirmed that he was indentured in December of 2010.

Madison Burnett noted that the written statement indicated that for about a year and a half, there were no training assignments. He did begin work in July 2012 and had 6,451 hours and a high-grade point average. There was discussion regarding Mr. Dimick's submitted accident report, medical documentation, injury and medical history.

Louis Loupias inquired as to Local 525 JATC leave of absence policy.

Randy Dimick surmised that there likely is such a policy. However he never applied.

Louis Loupias asked whether Mr. Dimick informed the apprenticeship coordinator regarding his car accident prior to taking the job call.

Randy Dimick stated that he did not inform the apprenticeship or dispatch.

Bryce Loveland provided comments on behalf of JATC 525, stating that Mr. Dimick was brought before the JATC Committee in April of 2017 because he had fallen out of contact with the training centers and dispatcher. Several calls were made to Mr. Dimick between February 2017 and April 2017 with no response received. Mr. Dimick was obligated to call in for work and was not doing so. In addition, his work hours were deficient, even after being in the program for a number of years. It was subsequently determined at the April 18th meeting that he should be canceled. At that

time, he did not present any medical documentation of his injury. He did not request a leave of absence. Mr. Dimick appealed the JATC Committee and appeared a second time in May 2017, where he again did not provide medical documentation. During both appearances, he was informed of his ability to reapply.

Madison Burnett commented that Mr. Dimick did complete the curriculum with a grade point average of 93.4 percent. He demonstrated commitment in the first year and a half, despite the fact that there was no work available. In response to a question from **Jason Lamberth**,

Dale Stubblefred said that the program is not accepting applications at the present time. The application period is open from the middle of January through the end of February.

Vice Chair Quitt requested that the attestation given at the April 2017 JATC appearance regarding the multiple unanswered calls made to Mr. Dimick be read.

Bryce Loveland read the declaration into the record.

Madison Burnett read from the apprenticeship agreement: *“Either party may terminate the agreement by submitting written notification of termination to the approving agency. But if such notification is submitted after completion of the probation period, the reason for termination shall be given. Due notice, therefore, must be given to the apprentice, as well as an opportunity to be heard and reasonable opportunity for corrective action.”* He acknowledged that Mr. Dimick made a significant mistake in not calling. However, he was not given adequate opportunity to correct the issue.

Randy Dimick commented that the reason he did not supply his medical records is that he was not asked for the documents. He explained to the Committee that he had had an accident and that subsequently, the Committee had moved on to address the issue of work hours without requesting documentation.

There was discussion regarding the fact that calls made from dispatch to Mr. Dimick were not documented or recorded for the record.

Bryce Loveland commented that having been gone for so long at this point, it is not known whether Mr. Dimick would even pass the test. The Committee is simply attempting to treat Mr. Dimick with the same standards applied to others in the program under similar circumstances.

Chair Walden commented that is unfortunate that Mr. Dimick did not have access to work hours early in his apprenticeship. If he had been provided adequate work hours, the issue would likely not have progressed to this point.

Vice Chair Quitt noted that any decision made by the Council today would impact the standards and regulations of JATC and its participating apprentices.

Madison Burnett said that Mr. Dimick worked continuously from July of 2012 to late February of this year. The Committee's reasons for termination were lack of communication as well as timing out of the program.

Louis Loupias asked Colleen Henry to provide clarification on the circumstance of an apprentice timing out of a program.

Colleen Henry stated that there is likely a misunderstanding, as this relates to when a program is registered, it can go plus or minus 20 percent to determine an apprenticeship. A lot of exceptions were made during the recession, as so many apprentices were exceeding the 20 percent. The rule is not a formal regulation but is merely a policy to register new occupations.

Vice Chair Quitt noted that a Local JATC has the ability to freeze or hold an apprentice for a six-month period. Anything greater than that requires approval from the state agency.

Randy Dimick acknowledged his mistake in failing to call. He appealed to the Committee to allow him to continue with the program and expressed confidence in his ability to test out. When he was appealing the decision, he was allowed to practice the test in the weld shop and was becoming rather good at it.

Madison Burnett made a motion to reinstate Randy Dimick. Louis Loupias seconded. The motion failed.

Jo Cato made a motion to uphold the decision of UA Local 525. Linda Montgomery seconded. The motion carried. Louis Loupias abstained.

XV. PUBLIC COMMENT (Information/Discussion)
(Public Comment will be taken regarding any item appearing on the agenda. No action may be taken on a matter discussed under this item until the matter is included on an agenda as an item on which action may be taken. The Chair of the State Apprenticeship Council will impose a time limit of three minutes. Public Comment #2 provides an opportunity for public comment on any matter within the Council's jurisdiction or advisory power.)

John Wiles commended the Council for the work completed during its first session.

Archie Wallen echoed the comments and thanked the Council for its work and stated that Local 872 WACA was happy to assist in whatever way is needed.

Manny Lamarre thanked the Council Members for their participation.

Chair Walden thanked everyone for their participation.

XVI. ADJOURNMENT (Information/Discussion)
Randy Walden, Chair

The Chair adjourned the meeting at 5:07 p.m.

NOTE (1): Persons with disabilities who require special accommodations or assistance at the meeting should notify Joan Finlay, OWINN, between the hours of 8:00 a.m. through 5:00 p.m., in writing at 555 East Washington Ave, Ste. 4900; or call (702) 486-8080 on or before the close of business, Friday, November 24, 2017.

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. 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.

NOTE (3): All comments will be limited to 3 minutes per speaker. Comment based on viewpoint may not be restricted. No action may be taken upon a matter raised under the public comment period unless the matter itself has been specifically included on an agenda as an action item. 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 the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes

NOTE (5): Supporting public material provided to members for this meeting is posted on OWINN's website at gov.nv.gov/OWINN/ and may be requested from the Governor's Office of Workforce Innovation (OWINN) at 555 E. Washington Avenue, Ste. 4900, Las Vegas, Nevada 89104 or by calling Joan Finlay at 702-486-8080.

NOTE (6): NOTICE OF THIS MEETING WAS FAXED, E-MAILED, OR HAND DELIVERED FOR POSTING TO THE FOLLOWING LOCATIONS:

Notice of this meeting was posted at the following locations on or before 9:00 a.m. on the third working day before the meeting: DETR, 2800 E. St. Louis, Las Vegas, NV; DETR, 500 East Third St., Carson City, NV; DETR, 1325 Corporate Blvd., Reno NV; NEVADA JOBCONNECT, 3405 S. Maryland Parkway, Las Vegas, NV; NEVADA JOBCONNECT, 4500 E. Sunset Road, Henderson, NV; NEVADA JOBCONNECT, 2827 N. Las Vegas Blvd., North Las Vegas, NV; NEVADA JOBCONNECT, 1929 N. Carson St., Carson City, NV; NEVADA JOBCONNECT, 172 Sixth St., Elko, NV; NEVADA JOBCONNECT, 480 Campton St., Ely, NV; NEVADA JOBCONNECT, 121 Industrial Way, Fallon, NV; NEVADA JOBCONNECT, 475 W. Haskell, #1, Winnemucca, NV; NEVADA JOBCONNECT, 4001 S. Virginia St., Suite G, Reno, NV; NEVADA JOBCONNECT, 2281 Pyramid Way, Sparks, NV; CAPITOL BUILDING, 101 N. Carson Street, Carson City, NV 89701; GRANT SAWYER OFFICE BUILDING, 555 E. Washington Ave., Las Vegas, NV; LEGISLATIVE BUILDING, 401 S. Carson St., Carson City, NV; NEVADAWORKS 6490 S. McCarran Blvd., Building A, Unit 1., Reno, NV; WORKFORCE CONNECTIONS, 6330 W. Charleston Blvd., Las Vegas, NV. This agenda was also posted on the internet through OWINN's website at gov.nv.gov/OWINN/.