

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 22, 2019 at 9:00 A.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: Legislative Counsel Bureau  
555 E. Washington Ave  
Conference Room 4412  
Las Vegas, NV 89101

Legislative Counsel Bureau  
401 South Carson St.  
Conference Room 3137  
Carson City, NV 89701

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:** Nanette Quitt, Chair; Thomas Pfundstein; Mike Kennedy; Caleb Cage; Madison Burnett; Archie Walden; Randy Canale; Jeremy Newman

**Council Members Absent:** Bob Potts, Vice Chair; Kristine Nelson; Dr. Ricardo Villalobos

**Others Present:** Craig von Collenberg, Governor's Office of Workforce Innovation (OWINN); Richard J. Williams, State Apprenticeship Director; Louis Loupias, Operating Engineers Training Trust; Dave Gardner; Andres Feijoo, Policy Analyst at OWINN; Dr. Howell, US Department of Labor, Region VI.

(\*Please note that all attendees may not be listed above)

I. CALL TO ORDER AND WELCOME  
Nanette Quitt, Chair

**Chair Quitt** called the meeting to order at **9:00 a.m.** She welcomed Nevada State Apprenticeship Council Members and members of the public.

## ROLL CALL - CONFIRMATION OF A QUORUM

Richard J. Williams, State Apprenticeship Director, OWINN

**Richard J. Williams** called roll and informed the Chair that a quorum was present.

## II. VERIFICATION OF PUBLIC POSTING

**Richard J. Williams**, State Apprenticeship Director, OWINN

**Richard J. Williams** affirmed that the notice and agenda for this November 22, 2019, Nevada State Apprenticeship Council Meeting was posted according to Nevada's Open Meeting Law pursuant to NRS. 241.020.

## III. 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.)*

**Chair Quitt** invited public comment.

**Louis Loupias**, Operating Engineers Training Trust, stated he was honored to be in attendance, and congratulated Council Members on their appointments, as well as **Mr. Craig von Collenberg** and **Mr. Richard Williams** to OWINN staff. **Mr. Loupias** noted the importance of keeping to the formerly high standards of the Committee.

## IV. APPROVAL OF MINUTES

**Chair Quitt** called for approval of the previous meeting minutes.

**Madison Burnett** cited page 7, 2<sup>nd</sup> paragraph, noting that "Trainee" should be changed to "Training".

**Jeremy Newman made a motion to approve the May 28, 2019 minutes as amended. Madison Burnett seconded. The motion carried.**

## V. INTRODUCTION OF THE STATE APPRENTICESHIP DIRECTOR

**Chair Quitt** introduced **Mr. Richard J. Williams**, noting that **Mr. Williams** had worked for more than 30 years as a carpenter and served in various leadership roles with the Carpenters' Union, including as a Board Member of the Southern and Northern Nevada Joint Apprenticeship Training Committee, and as Business and Political Training Coordinator for the Southwest Regional Council of Carpenters; **Mr. Williams** also served as a Board Member for the Southern Nevada Carpenters'

Annuity Trust, and for 18 years as an Executive Board Member, including President, for six years. **Chair Quitt** welcomed **Mr. Williams**.

**Mr. Richard J. Williams** thanked the Chair, noting that it was an honor to serve and create opportunities for the residents of Nevada. He said he was confident in this Council and looked forward to working with everyone.

## VI. NEW STATE APPRENTICESHIP COUNCIL MEMBER INTRODUCTIONS

**Chair Quitt** first thanked previous Council Members for their loyal and dedicated service. She added that the diversity of the Council had achieved strong outcomes for the State. **Archie Walden**, Local 872, Training Director and Apprentice Coordinator, stating that he appreciated being a member of the Council. He noted the importance of serving people coming out of high school.

**Madison Burnett** stated he served in the Apprenticeship Program from 1989 to 1994, and has been Training Director since 2004 for the Electrical JATC. He considered serving a second term on the Council as an honor and a privilege.

**Thomas Pfundstein** stated that he was honored to serve again, and had served for the past seven years. He stated that he had participated in the Painters' Union Apprenticeship Program years ago, along with other experience, and he represented 64 Union contractors under various crafts.

**Jeremy Newman**, Assistant Business Manager for Local 396, who had served as chair for the CAL-NV State Apprenticeship Council for two years, said he is looking forward to the accomplishments on the Council.

**Mike Kennedy** served four years in the Local Union as a floor coverer, and moved up through the program to General Manager of a signatory company. He stated he looked forward to working with everyone on the team.

**Caleb Cage**, Assistant Vice Chancellor for Workforce Development and Community Colleges (NV System of Higher Education), said he is honored and excited to be part of the Council and state partners.

**Randy Canale**, Training Coordinator for Plumbers and Pipefitters in Northern NV, stated that he started out as an apprentice, and progressed through to foreman and instructor, and has been the Training Coordinator for the last 12 years. He said that a lot of outreach and recruiting was done through the Northern NV Apprenticeship Coordinator Association. Mr. Canale stated that he had

served previously on the Council, and it was an honor and a privilege to serve, and to be reappointed.

**Chair Quitt** welcomed all new and returning Council Members and asked that others present introduce themselves, which they did.

**Chair Quitt** introduced herself and provided professional background.

## VII. OWINN UPDATE

**Craig Von Collenberg** described OWINN in general. The agency was established in 2016 and codified in 2017, with a mission to “help drive a skilled, diverse and aligned workforce in the State of Nevada by promoting collaboration and cooperation among all entities focused on workforce development.” He said the theory of action was if adults and youth were engaged as well as the employer community, while working toward work development issues, and facilitating cooperation and collaboration while defining effective clear pathways based on research, then a skilled workforce will result towards Nevada’s skilled and sustainable economy, oversee and assist key workforce development and Councils., as well as the Government Workforce Development Board. He added that currently, a State Apprenticeship Expansion grant is in existence, to help grow apprenticeship and assist to grow the programs established over the past seven to ten decades. **Mr. Von Collenberg** stated that OWINN would also oversee occupational licensing grant, and help to identify unnecessary barriers to occupational licensing and identifying and communicating key areas of reform, working on the balance between public safety and unnecessary barriers and creating streamlined processes for licensing and work (key areas are: military and spouses, and others).

**Chair Quitt** encouraged Councilmembers to get involved with OWINN activities in order to assist in apprenticeships in Nevada.

**Mr. Richard Williams** added to the OWINN Report, stating that there are 70 registered programs in the State of Nevada, with 6,038 active apprentices. He noted that since the last SAC meeting, 1,536 individuals started an apprenticeship, with 1,433 still active. He added that this showed the economy is hopefully returning to where it was. He desired to see those numbers increase and was confident with this Council that could happen.

## VIII. 2020 MEETING DATES

**Mr. von Collenberg** provided a draft meeting dates schedule for 2020 (will comply with Nevada Administrative Codes) as: February 13, 2020, May 7, 2020, August 6, 2020, and November 12, 2020.

**Madison Burnett made a motion to accept the proposed NEVSAC meeting dates for 2020 as presented. Randy Canale seconded. The motion carried.**

## IX. NEW PROGRAM

**Chair Quitt** stated that she would ask each appropriate representative to come to the podium to answer any questions about the following new programs.

**Mr. Richard Williams** provided a brief overview of each new program before its program sponsor came forward.

1. GJ Standards of Apprenticeship and associated Appendices B through E
  - Titanium Metal Corporation (Timet) and United Steelworkers Local 4856

**Mr. Williams** introduced the presenters of the above program (1 thru 7), as Standard X.1. (standards) and appendices B through E.

**Chair Quitt** stated that programs would be voted upon first, and then the programs would be reviewed individually.

**Susan Ross**, College of Southern Nevada, representing CSN as sponsor of program, introduced **Stephanie Stanton**, HR Manager of Timet (employer partner), and **Bill Lock**, Union Representative for Steelworkers Union Local 4856 (union partner). **Ms. Ross** stated that Timet has an affirmative action plan, and it is anticipated that the portion will be added to the standards within the next six months (selection procedure included in Appendix D), with apprentices selected from a pool of current employees. The joint apprenticeship program will be operated in-house through Timet, and the application for the apprentices is a standard form.

**Chair Quitt** asked for questions for agenda item X.1.

Upon **Mr. Burnett's** question, **Ms. Ross** stated that all instruction would take place at the College of Southern Nevada campus locations, and certifications would be given in the form of associate degree through that college (for each item under New Programs).

**Mr. Walden** asked if instructors would be listed, along with their experience, similar to all other training programs, and **Ms. Ross** stated that because the courses are administered by the college, the instructors all fall within the guidelines of the college instructors and professors.

**Mr. Canale** stated that a good job was done in putting the standards together, and asked for details on how the programs would lead to an associate degree. **Ms. Ross** stated all of the apprenticeship programs curriculums encompass set hours (around 30 credits), and an additional 27 to 30 general education credits would be required by the apprentice to complete the associate degree, i.e. a total of approximately 60 credits with technical and gen ed credits combined. The student would then need to apply to the college for graduation. **Mr. Canale** wondered if the certifications were portable. **Ms. Ross** confirmed that they are. **Mr. Canale** asked what might happen if a journeyman was ill, who would oversee the apprentice in order to meet the supervision of apprentices ratio of 1:1. **Ms. Stephanie Stanton** stated that it was the intent of the company to start the program with

10 to 12 apprentices, with a current staff of 114 journeymen, with the plan to have them cover. Supervisors, who are also certified journeymen could perform as overseers to apprentices as well. **Mr. Canale** stated that he appreciated that, but was concerned if the standards were approved as written, proper supervision and integrity of programs was not fully guaranteed as written. He noted the importance of the supervising journeyman being trained in the specific trade the student was working on.

**Ms. Stanton** said that there was no anticipation of having an equal number of apprentices to journeyman at any location or within the company. **Mr. Canale** asked if the written guidelines could be changed to make the wording consistent with other programs for the section pertaining to the apprentice – journeyman ratio. **Chair Quitt** said that an audit of all existing programs would be needed in order to require that all new programs provide that standard.

**Mr. Burnett** stated that the statutes of NAC 16438-1A and B sections regarding ratio of apprentices to journeymen on a job site do not stipulate whether this is construction or an industrial application, although there was a statute for the first journeyman to apprentice being 1:1 and 3:1 thereafter.

**Mr. Kennedy** asked if all the new prospective apprentices would be starting at the base level of the program or would there be an evaluation for the possibility of starting at a different level. **Ms. Ross** said that there was a caveat to petition the JATC to receive credit for specifically completed sections of the apprenticeship through another program, college, or military service (Pgs. 8 and 9 of standards). **Mr. Kennedy** asked who makes the determination to determine the level the apprentice will be entered at. **Ms. Ross** stated the Joint Apprenticeship Group consisting of three bargaining leaders, three management team members, and a representative from CSN would do that.

Upon **Mr. Pfundstein's** question about who would do the instruction for the class, and their qualifications, **Ms. Ross** said that the instructor base came from the existing faculty and staff with CSN who already teach the courses, so their experience is typically from five to seven years of teaching the specific curriculum. **Mr. Pfundstein** pointed out that of all the schools he was aware of are journeyman level within the construction type being taught. He said that using those who were not had in the past meant that students missed out on the construction side of their education. **Ms. Ross** stated that she understood that point, noting that she also works with the other 17 apprenticeship programs that Nevada partnered with. The apprenticeship for Timet includes so many different pieces regarding electrical and mechanical courses that CSN already offers, with taught by established professionals. Trained professionals and skilled craftspersons within particular positions oversee on-the-job training and incorporate the portions learned in the classroom.

**Mr. Craig von Collenberg** stated that the programs through CSN are accredited through the Northwest accrediting body as well as through engineering technologies institutions. The

professors who teach through the applied technologies division are generally considered experts in their field; most come from industry, and do not come in straight out of a learning experience.

**Mr. Canale** stated he appreciated comments and input, and wanted to consider Section I (page D2, Sections C and D), under Physical and Aptitude Tests, where both say applicant will pass any physical agility or fitness test or screen for current illegal use of drugs. He asked for clarification of “any” physical agility and “any” aptitude test. He wondered how one could know the details of the tests and why they would be administered. He said that any test given for an apprenticeship program needed to be a predictor of success, as well as a validated test. He was not sure that the word “any” was specific enough. He stated that the program should decide the test or types of tests, and noted they should be listed in the program description. He added that “as appropriate” needed to be defined.

**Chair Quitt** said she believed the template was utilized through the OWINN office, so asked for input, and **Mr. Williams** stated that was the standard language from the OWINN template. **Mr. Canale** said that if any programs had passed with such wording in the past, it may not have been correct.

**Ms. Ross** said that the verbiage was standard and noted that this plan does state specifically “as required by the employer”. **Mr. Canale** asked whether that would be for all programs and if that would be applied evenly, and **Ms. Ross** stated that within the EEOC, employers are bound by set parameters, and within safety programs, there are established testing parameters, so she believed that all of those issues were addressed by the current verbiage, and tests would be outlined by the employer at the time of hire. **Mr. Canale** asked again how that would be applied evenly across all applicants, and **Chair Quitt** stated that the standard would apply to all applicants, as programs did not use program standards in any selective manner.

**Mr. Walden** stated that he understood **Mr. Canale’s** concern was that different people might get different test sections, instead of the same sections or same full test.

**Chair Quitt** stated she would ask the program sponsor and Steelworkers if they have any information to add to that section regarding how they plan to administer tests, including physical agility tests.

**Ms. Stanton** stated that one of the basic requirements for the apprenticeship program was that the person would have to actively be employed for a minimal amount of time, and the physical standards are completed upon date of hire when they come on board, with everything after that being addressed as part of the collective bargaining with USW. She said while she appreciated the

reason that the request from the Chair was made, the USW would hold the employer accountable if there was any deviation of anything related to employment standards or conditions.

Mr. Walden cited page 3, section N, and noted that Section 21, should be in Section 20 (page 13). Ms. Ross stated the program was in agreement with that correction.

**Mr. Walden** noted that on page 5, Section 4, Qualifications of Apprentices, would there be no further apprentices, and if an apprentice had worked for four or five years, would they be considered past the journeyman status or would they backtracked and put into the apprenticeship program and take a pay cut? **Ms. Stanton** stated that per the collective bargaining agreement, all current tradesmen would be grandfathered in as journeymen and remain at that position. She added that Timet is an extremely large titanium manufacturer about 25 percent of its employees are journeymen. It is anticipated that apprentices will be recruited from production staff and move in to the careers. **Mr. Walden** stated that on page 7, Section 8, was the probationary period, would it be better to list that in hours rather than months, and **Ms. Stanton** said that could not be changed because it is part of the collective bargaining agreement. She said that changing that to hours would put employees at a great disadvantage since they are hourly employees with hours going up and down and at a minimum of 40+ hours per week. A time frame makes more sense in this environment. **Mr. Walden** agreed. He referred to page 13, Section 20, Adjusting Differences, and asked if it would be advisable to have the OWINN added to the complaint procedure, to which **Ms. Ross** replied that this wording is part of the existing collective bargaining agreement (CBA), so no verbiage change can be made at this time. **Chair Quitt** clarified that Timet might make an addition to the complaint procedure, and **Mr. Walden** said he did not believe doing so would affect the CBA. He believed most programs had OWINN listed for informational purposes. **Chair Quitt** agreed with that, and said that the OWINN office is meant to be a resource and not just a program sponsor for apprentices. **Ms. Ross** stated that at this time the employer partner is unable to add the verbiage without further discussion within their organization and the union.

**Mr. Walden** said that the listing of places the apprentices could go, on page 14, did include the registration agency, which is OWINN, technically, and so that wording would suffice, if the address and contact information were added in that area of the document.

**Mr. von Collenberg** confirmed that OWINN is the local registration agency. **Ms. Ross** stated that the employer partner was in agreement to add the OWINN address to page 14. **Dave Gardner** stated that OWINN would not have much involvement since legally, apprentices would have to

follow steps that would not include OWINN. **Mr. Walden** stated that it was simply standard practice to make apprentices aware of agencies and their full rights.

**Mr. von Collenberg** clarified the appeal process, noting that the State Apprenticeship Council would be the next step in the appeal process, with OWINN's role in that being just to receive the complaint.

**Chair Quitt** stated that complaints can come in forms other than appeals, and that the OWINN being listed as an agency could be helpful. **Mr. Canale** noted that several places in the standard template did note that the SAC, via the State's Agency, OWINN.

**Ms. Ross** added that at this time, the program had agreed to add OWINN as the State's agency, and sought approval of that condition.

**Chair Quitt** suggested that Timet provide a list of the college instructors to appease the Council's concerns about industry experience (can be provided later). **Ms. Ross** stated she had no issues with providing the list of instructors and their qualifications for the courses they would be teaching.

**Archie Walden made a motion to accept Agenda Item X. 1. and appendices, with the changes as discussed above. Thomas Pfundstein seconded. The motion carried.**

## 2. Appendix A1 – Instrument Repair Technician (time-based)

**Ms. Ross** gave a brief overview of the program, noting that the position of Instrument Repair Technician would be time-based, with 6,000 hours of on-the-job learning, with a ratio of 1:1 apprentice to journey worker. She added that all related and technical instruction will be provided by the College of Southern Nevada, and on-the-job training would be provided onsite by Timet. She noted that this program had a direct pathway to an associate degree through CSN.

**Mr. Walden** said he had not found Instrument Repair Technician to be an apprenticeship occupation under the OWINN Code 17.3323-1, but **Mr. Andres Feijoo** clarified that it was.

**Mr. Kennedy** asked if the training would be a block or the college curriculum with per semester breaks, and **Ms. Ross** stated that the program would follow the college schedule. **Mr. Kennedy** asked if classes would occur one time a week, and **Ms. Ross** stated classes would be held multiple times in a week, in three-hour sessions (for a 16-week semester), with some being day and some being night classes, with employers allowing apprentices to attend school.

**Mr. Walden** stated that the last line of the Appendix stated that a minimum of 465 hours per year of instruction-related apprenticeship was required. He believed that should possibly be reworded

to meet the standards of the yearly hours. **Ms. Ross** said they will be providing a breakdown showing the specific hours of instruction.

**Mike Kennedy made a motion to accept Agenda Item X. 2. and appendices, with the changes as discussed above. Jeremy Newman seconded. The motion carried.**

3. Appendix A2 – Crane Mechanic (time-based)

**Chair Quitt** stated that there was a request to defer this agenda item to a future meeting of the State Apprenticeship Council.

4. Appendix A3 – Industrial Welder (time-based)

**Ms. Ross** provided a brief overview of this program, noting the apprentice position for Industrial Welder is time-based, with 4500 hours of on-the-job learning, in addition to a minimum of 144 hours of related instruction per year, with a ratio of 1:1 apprentice to journey worker. All related technical instruction will be provided by College of Southern Nevada, with on-the-job training provided on site by Timet. This apprenticeship has a pathway to an associate degree through CSN.

**Mr. Canale** asked if there was a certified weld inspector on staff at CSN (in keeping with certification with ASME), and **Ms. Ross** stated that the gentleman in charge of the welding program met those qualifications and could analyze and evaluate welds, as well as looking for occlusions or issues.

**Mr. Pfundstein** asked what the apprentices had to do after the welding program, and **Ms. Ross** stated that included about 30 credits on the program side, and in addition, they would complete the general education side, which is typically 27 to 32 credits, for a total of 60 credits, which went through the review process with the CSN graduation team, after which a degree would be awarded. **Ms. Ross** said that historically, the apprentices that attempted the program did not all go on to complete an associate degree, but it is becoming increasingly popular as students recognize the value of having a degree. **Mr. Pfundstein** applauded **Ms. Ross** for the program that allows the AA to be earned. **Ms. Ross** stated that it was important to the employer to allow that program.

**Mr. Canale** stated that when reviewing the course topics, and it was not clear if a welding process was needed (in the field) to go through this program, and **Mr. Von Collenberg** stated that in his experience with CSN in the past, that every instructor was certified as an instructor and inspector, and every single class on the list would end with a welding certification.

**Madison Burnett made a motion to accept Agenda Item X. 4. and appendices. Mike Kennedy seconded.**

**Archie Walden** suggested that the hours be adjusted as discussed earlier to reflect 465 hours of training throughout the apprenticeship, rather than in a year. **Ms. Ross** stated she would ensure that change was made throughout A1 through A6.

**Madison Burnett amended his motion to include the changes as discussed above. Mike Kennedy seconded. The motion carried.**

5. Appendix A4 – Machinist (time-based)

**Ms. Ross** provided background on this time-based Machinist program, noting it was time-based, with approximately 6,000 hours of on-the-job learning and a minimum of 144 hours of related instruction per year, with the ratio of 1:1 apprentice to one journey worker. All related technical instruction would be provided by the CSN. On-the-job training would be provided by Timet on site, with this apprenticeship having a pathway to an associate degree with CSN.

**Mr. Canale** said that on Appendix A4, type of occupation was listed as time-based, but the term of apprenticeship was determined by the attainment of all competencies of the position, to which **Ms. Ross** responded that the apprentices have to meet time regulations, so it is both time-based and competency-based. **Chair Quitt** asked if competencies were automatically achieved through time in any case, and **Mr. Williams** stated that was correct.

**Jeremy Newman made a motion to accept Agenda Item X. 5. and appendices. Thomas Pfundstein seconded. The motion carried.**

6. Appendix A5 – Maintenance Electrician (time-based)

**Ms. Ross** introduced this program, stating that it was time-based, with approximate on-the-job hours of 6,000, including a minimum of 144 hours of related instruction per year, with the ratio at 1:1 for journeyman to apprentice, with all related technical instruction being provided by CSN and on-the-job training to be provided by Timet, and included a pathway to an Associate's degree with CSN.

**Madison Burnett** asked if OSHA 10 training was required, and **Ms. Ross** stated that it was.

**Mike Kennedy** asked if there was a way to test for competency at CSN, and **Ms. Ross** stated that, as with all curriculum and courses completed through CSN, the testing was part of the competency determination, without which a student would not pass the course. The results are also reported to the employer.

**Archie Walden made a motion to accept Agenda Item X. 6. and appendices, with the amendment of clarifying the hours of related instruction over the course of the program, not per year. Madison Burnett seconded. The motion carried.**

7. Appendix A6 – Industrial Maintenance Mechanic (time-based)

**Ms. Ross** introduced this hybrid program, with a term of approximately 4,500 hours minimum, with a minimum of 144 hours of related instruction with a ratio of 1:1 apprentice to journey worker,

and all instruction hours to be provided at CSN with on-the-job training to be provided by Timet onsite, with the position leading to an Associate's degree pathway at CSN.

**Mr. Richard Williams** stated that the agenda should have read “hybrid” rather than “time-based”.

**Ms. Ross** stated that this program is a hybrid program through the US Department of Labor, with a range of hours set for full competency. She added the 2910 form states it is a 4,500 hour program because it is a hybrid, requiring a range of hours, and maximum hours would be 6,000 hours. If an apprentice needed to go beyond the 4,500 hours, they would continue to be paid at the wage level one step below journeyman wage, which is \$24.36. **Chair Quitt** asked about Appendix 4, page 6, noting that for other hybrid programs the Council saw in the past, a range of hours was provided, so possibly a range of hours could be provided, and **Ms. Ross** stated that the minimum had been calculated here, but anticipate a higher need, and an evaluation matrix with work process competencies was attached. She added that Timet is still working on developing the demonstrated tasks performed, with the evaluation matrix to be presented to the State Apprenticeship Director and completed after Council's provisional approval. **Ms. Ross** stated that it was in process at this point and he was working with OWINN. **Mr. Williams** stated that Apprenticeship would work with **Ms. Ross** on that. **Chair Quitt** stated she was simply requesting that the range of hours for items A through G provide a range of hours reflecting a minimum of 4,500 hours, not to exceed 6,000. **Mr. Williams** stated that they were in agreement with that. **Chair Quitt** asked that going forward, all hybrid programs provide the range of hours for the Council's consideration. **Mr. Von Collenberg** stated that in future, that would be in place prior to any apprentices indentured into the program.

**Chair Quitt** noted that non-voting member **Caleb Cage** had left the meeting at approximately 10:50 a.m., which did not affect quorum.

**Jeremy Newman made a motion to accept Agenda Item X. 7. and appendices, with the amendment of clarifying the range of hours of related instruction to 4,500 to 6,000, and throughout the course, not per year. Mike Kennedy seconded. The motion carried.**

**Chair Quitt** thanked **Ms. Ross** for coming before the Council, and stated the Council was looking forward to hearing more about the program and success with Timet. **Ms. Ross** thanked the Chair and Council.

At the request of a member of the public to speak, **Mr. Gardner** stated that public comment is reserved before or after the meeting, although it could be allowed at the beginning or end of each

item. The member of the public stated that in the past, before each program presentation, the public was allowed to speak.

**Chair Quitt** said that she would afford a public comment opportunity at the end of the meeting as agendaized.

**Chair Quitt** granted a five-minute break and asked everyone to return at 11:00 a.m. Roll call was held with all members present (except **Mr. Cage** who had left the meeting at 10:50) and the Council went back on the record at 11:03 a.m.

**Chair Quitt** stated that public speakers were always welcome but as noted on agenda, were asked to speak before and after the meeting items. She encouraged individuals to speak before the meeting when appropriate on agenda.

#### X. CONSENT ITEMS

**Chair Quitt** stated that various Council Members might be abstaining so she would address the consent items in groups for expediency. She asked if there were any abstentions for items A through J, and Mike Kennedy stated he needed to abstain from C and D.

- a. Ironworkers Local 118  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Reinforcing Metal Worker and Structural Steel Worker
- b. Teamsters Convention  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Tradeshow Specialist apprentices

**Randy Canale made a motion to accept Agenda Items XI. A. and B. Archie Walden seconded. The motion carried.**

- c. Drywall Finishing JATC  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Drywall Finisher apprentices
- d. Painters JATC  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Painter apprentices

Mr. Feijoo confirmed that the Drywallers' salary should be noted as 65% (Item C), so should be amended to reflect that, and Painter's salary should be changed to 65% (Item D).

**Randy Canale made a motion to approve Agenda Items XI. C. and D, with noted amendments as above. Archie Walden seconded. The motion carried. Mike Kennedy abstained.**

- e. Sheet Metal Workers Local 88 JATC  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Sheet Metal Worker apprentices

**Jeremy Newman made a motion to approve Agenda Items XI. E . Randy Canale seconded. The motion carried.**

- f. Southern Nevada Laborers Training Trust  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Construction Craft Laborers apprentices
- g. Harney Electric  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Line Maintainer apprentices
- h. DC16 Joint Apprenticeship and Training  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Drywall Finisher, Floor Coverer, and Painter apprentices
- i. Southern Nevada Roofers JATC  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Roofer / Waterproofing apprentices
- j. Truckee Meadows Water Authority  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be SCADA Technician, Maintenance Mechanic, and Pipe Fitter apprentices

**Madison Burnett** stated that on Item J, Truckee Meadows Water Authority's percentages were not adding up, so should be amended to match up with dollar amount of wages. **Jessica Atkinson** verified the wages were correct, so the percentages should be corrected to match, and be resubmitted.

**Madison Burnett made a motion to approve Agenda Items XI. F through XI. J. with noted amendments on Item J. Jeremy Newman seconded. The motion carried. Archie Walden abstained from Item XI.F., and Mike Kennedy abstained from Item XI.H.**

- k. Nevada Power Company  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Lineman, Metering Electrician, and Substation Electrician

apprentices

- l. Sierra Pacific Power Company  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Communications Technician, Customer Serviceman, Fitter, Fitter/Welder, Gas Pressure Operator, Substation Electrician, Lineman, Meter Technician apprentices
- m. Plumbers and Pipefitters JATC 525  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Pipefitter / Plumber apprentices
- n. ABC Nevada Southern Division Apprenticeship Trust Fund  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Construction Electrician

**Madison Burnett made a motion to approve Agenda Items XI. K through XI. N. Randy Canale seconded. The motion carried. Jeremy Newman and Chair Quitt abstained from Items XI. K. & L.**

- o. ABC Nevada Northern Division Apprenticeship Trust Fund  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Construction Electrician and Construction Plumbing
- p. Electrical JATC of Southern Nevada  
Discussion and possible action regarding an increase in the minimum wage paid to apprentices training to be Telecommunications Technician and Electrician

**Archie Walden made a motion to approve Agenda Items XI. O and XI. P. Mike Kennedy seconded. The motion carried. Madison Burnett abstained from Item XI. P.**

## XII. TRANSFERRING WAGE APPROVAL AUTHORITY TO OWINN

**Mr. Von Collenberg** stated the reason for this agenda item was that these types of actions were normally consent agenda item for Council, but OWINN believed it would reduce time delays for veterans and others to simply be able to approve the changes.

**Chair Quitt moved to transfer the 5910 wage approval authority to the OWINN Office. Madison Burnett seconded. The motion carried.**

**Mr. von Collenberg** stated that a report would be agendized in order to keep the Council apprised.

**Chair Quitt** encouraged anyone interested to continue to attend meetings on these matters even if they were not an agenda item, per se.

### XIII. DEREGISTERING INACTIVE APPRENTICESHIP PROGRAMS

**Mr. von Collenberg** stated that during a previous Council meeting, there had been discussion around deregistering programs, which had not been occurring as it should have been. He added that since then, an inventory had been conducted to determine which programs were active and which were not, with a focus on programs that had not registered apprentices in two or more years. Those listed below did not respond to outreach attempted by OWINN, by phone, email, and standard mail, so were confirmed as no longer active. These companies were warned through letter and/or email that they would be de-registered through the SAC. **Mr. von Collenberg** stated that OWINN was currently recommending de-registration of these programs.

1. Wells Rural Electric Local 1245
2. Amazon
3. Fairway Chevrolet
4. National Guard Bureau 422<sup>nd</sup>

**Randy Canale** asked what the agency would do with the four apprentices between the two programs that are currently registered but did not respond, and **Mr. von Collenberg** said that no discussion had been held on that matter, but once those were de-registered, the apprentices would also be de-registered.

Michael Venturino, IB 45 Business Representative, regarding Wells Electric, stated that lack of communication was an issue with IBW represented properties; due to logistics communications were sent to Utah rather than Nevada.

**Chair Quitt made the motion to de-register the four programs based upon multiple attempts by the Nevada State Apprenticeship and OWINN, effective November 22, 2019, that the four listed programs be de-registered, as long as programs that did have completed apprentices could still submit completed paperwork. Mr. Burnett seconded. Motion carried.**

### XIV. APPRENTICESHIP PROGRAMS THAT HAVE VOLUNTARILY DEREGISTERED

**Mr. von Collenberg** stated that in the process of determining active programs, several programs had requested to be de-registered, so OWINN had done so through the Rapid System. A list is available upon request. He added that due diligence was being performed on those, based upon their voluntary request.

### XV. APPRENTICESHIP PROGRAMS THAT WISH TO REMAIN REGISTERED

**Mr. von Collenberg** stated that during the course of contacting apprenticeship programs, three

requested to remain active, although they have no current apprenticeships. OWINN will continue to monitor these programs to make sure they have registered apprenticeships in the future. He added that Simplex Grinnell/Johnson Control Fire Protection had recently added an apprentice, so OWINN requested that they not be included in this voting matter. **Mr. von Collenberg** stated that Alamo Power and Stationary Engineers Local continue their registration as sponsors in Nevada.

**Madison Burnett** asked what the re-registration procedure would entail, and **Mr. von Collenberg** stated he understood they would have to begin the entire registration process again. He added that he believed neither of the companies had been deregistered in the past.

**Mr. von Collenberg** discussed lack of periodic review; that would be at the top of **Mr. Williams'** review as he settles into his position.

**Chair Quitt** agreed with the suggestion to consider each company individually. **Mr. Gardner** stated that if Council would like to keep the companies active under this agenda item, no motion would be needed, since they are already currently active. He added that he did not see any statute that allowed for cancellation or a time period placement on the registration, but they could revisit at the desired time and vote on it then.

**Chair Quitt** stated that at the end of the meeting, there should be a note to agendaize these companies again and ask for a progress report for November of 2020 (or de-register them if they have no apprentices by that time).

1. Alamo Power District
2. Simplex Grinnell/Johnson Control Fire Protection
3. Stationary Engineers Local 39 JATC

## XVI. APPRENTICE APPEAL

### Appeal of Dismissal – Brooks vs. Electrical JATC of Southern Nevada

After confirming that parties of both Brooks and Electrical JATC were present, **Chair Quitt** read for the record: “Issued to Jamal Brooks as a result of a 522 2019 JATC meeting: Please be advised of the actions taken by the Electrical JATC Meeting on May 22, 2019 (excerpt from the minutes: Jamal Brooks did appear before the committee; see Court Reporter’s transcripts for details. Motion to uphold the previous decision of terminating the apprentice of Jamal Brooks on April 17, 2019; the motion was seconded and carried. Madison Burnett explained appeal rights Jamal Brooks’ appeal rights to the Nevada State Apprenticeship Council (NSAC). Jamal Brooks stated that he understood the decision of the committee to appeal his right to NSAC. The apprentice may appeal from the Electrical JATC of Southern Nevada final decision to the Nevada State Apprenticeship Council at the OWINN, 55 East Washington Avenue, Suite 4900, Las Vegas, Nevada, 89101 by filing a written notice of appeal with the State Apprenticeship Council. This appeal must be filed

within 30 days after the date on which the notice of dismissal from the program was deposited in the mail.

**Chair Quitt** confirmed that the JATC Office had received the appeal in a timely manner, and asked **Mr. Brooks** to provide his information. **Mr. Brooks** explained that he had suffered serious medical issues, and been a victim of a random shooting, all circumstances which led up to a failed marijuana testing. He added that although it is not an excuse he cannot take opioids). **Mr. Brooks** noted that he also suffers from post-traumatic stress disorder (PTSD), and had come before JATC for disciplinary action while suffering from that disorder. He apologized to the Board and to **Mr. Madison Burnett** for the lack of integrity he had shown and his indiscretions throughout the process. **Mr. Brooks** said that he falsified a urinalysis to hide marijuana use and was put out of the JATC, after which he submitted to the JATC medical facility the statement that he had made the falsification. He asked that he not be judged on this, but asserted that he has proven with the documentation submitted, including academics, that he was committed to the Electrician program.

**Chair Quitt** confirmed that **Mr. Brooks** was requesting instatement at 1,306 hours credit, and he agreed. He said that he had completed every other requirement for the program. He added that he had achieved top of the class fourth and fifth years, and came in third overall out of 26 to 30 students. **Mr. Brooks** said the only requirement that he needed was 1,300 or so hours to receive a diploma.

**Mr. Pfundstein** asked what was different today, from when **Mr. Brooks** had not followed the program guidelines, and **Mr. Brooks** stated that he had returned to counseling and made some realizations that he wanted to work as an electrician and provide for his family. He said he has not partaken of marijuana since the incident with JATC, for any reason, and that he now attends the gym, and has taken up yoga, is committed to keeping a clear head and focusing forward.

**Archie Walden** asked why he had used marijuana for PTSD when there are many programs that could assist with that, and **Mr. Brooks** stated that he was using marijuana for pain after the gunshot wounds and subsequent surgeries. He added that the shooting and hernia surgery occurred before returning to Century. **Mr. Walden** asked if there had been any thought to try the current options instead of allowing three incidents of marijuana use to lead up to this point, and **Mr. Brooks** explained that he had not had three incidents, but one where he failed the urinalysis and was let go by Century. The second incident occurred when he had to take a urinalysis for the JATC to go back into the program, and he had utilized synthetic and failed the urinalysis.

**Mr. Walden** noted an incident at Baker, dated 2/21/19 wherein **Mr. Brooks** refused a urinalysis, a 3/29/19 test not in proper temperature range, and a refused for retake with direct observation, followed by a termination of 4/17/19. **Chair Quitt** clarified that a refusal was treated as a positive result, and **Mr. Brooks** stated he was not aware of that.

**Mr. Brooks** stated that he should have sought help and that he was sorry he had let down a lot of people, and his actions had brought him to this hearing. **Mr. Canale** stated that the issue at hand was whether the program had followed proper procedure, and noted he was looking at a receipt

dated 1/24/13, signed by Mr. Brooks, attesting to understanding of the policies of the program. **Mr. Canale** cited Section 2 of the drug misuse and abuse of policies, noting that Section J, Consequences of a positive test, states that in case of a positive test result, JATC will direct apprentice's employer to terminate apprentice immediately and before an apprentice will be allowed to return to employment, they must appear before the Committee of Disciplinary Action, which may include termination of their apprenticeship agreement, or must complete counseling. He asked if Mr. Brooks had been given the option to complete counseling, to which Mr. Brooks replied in the affirmative. He stated that he understood he was being discharged for lying, not for failing three drug tests.

**Chair Quitt** told **Mr. Brooks** that she appreciated his coming to the meeting to discuss issues, but the Council was not able to change any decisions made to terminate an apprentice unless it was determined that the dismissal was arbitrary, capricious or based upon an erroneous conclusion of law. She appreciated Mr. Brooks taking responsibility for the poor decision he had made and for being accountable, and Mr. Brooks stated that he had gone to counseling after he had signed the paper in 2013, and his question was if lying was a reason for dismissal. **Chair Quitt** asked for any questions from the program or Council Members.

**Chair Quitt** stated that Mr. Brooks would have another opportunity to speak after the JATC's turn. **Mr. Doug Ziegenhagen** of JATC summarized a brief timeline of events leading to the dismissal of Jamal Brooks, including the 1/24/13 signed receipt of understanding of the drug use policies. He added that the first violation occurred 3/17/16, with a dismissal from Century Electric for failure to comply with the substance abuse policy. This case was heard on 4/20/16 by the JATC committee and the DHO option was offered with the stipulation of any further violations of the drug policies of the JATC of Southern Nevada during the remainder of the apprentices indenture ship would result in immediate termination. The member completed DHO and was released from pre-term probation and returned to work.

**Mr. Ziegenhagen** stated the second instance was dated 2/21/19 and involved the dismissal from Baker Electric for failure to comply with the substance abuse policy. He said that the apprentice stated that the employer had misused the policy and he intended to grieve the Labor Management Committee, who heard the case on 3/20/19 and tabled from further action pending further results of the grievance. On 3/29/19 the grievance was heard and it was decided that Baker Electric was not in violation of the policy. Mr. Brooks was then mandated to complete a drug test that day and refer back to the JATC for remanding. On that same day, a prophylactic of sorts was substituted for that test, and the apprentice declined a direct observation test, and so was considered as giving a positive test, so was referenced back to the JATC Committee, who enforced their prior language which is "will" terminate apprentice's indentureship with any further violation. On 4/17/19, it was reviewed by the Committee, and on 5/22/19 with a court transcription, and now is being seen by this Council today.

**Chair Quitt** confirmed that the appellant was extended BHO and treatment in 2016, and then released back to full work. She asked **Mr. Ziegenhagen** if the electrical work was considered safety-based, and he responded that all aspects of the Electrical Apprenticeship programs were

considered safety-based. **Chair Quitt** asked if applicants for the apprenticeship program were given the opportunity to voluntarily disclose that they have a substance abuse problem so they could be granted a leave of absence in order to comply with policies before starting the program. **Ms. Diane Wendt**, JATC, stated that opportunity was given in the BHO system (health and management system at JATC) to take care of the matter in a timely manner.

**Chair Quitt** offered Mr. Brooks an opportunity for rebuttal, and he stated he had no argument, but wanted to state that after he got back from the first offense, and after the six-month suspension, he knew that it was further.

**Chair Quitt** asked if the cancelling party wanted to waive or offer rebuttal, but since **Mr. Brooks** essentially had not offered rebuttal, he moved on to closing arguments, noting that he had made a grave mistake and he had paid for it, was the Council's mercy and simply asked that the achievements and academics of the program and grant the 1,300 hours in order to show completion of the program after his effort, despite the negative, because he has proven he will always try to be the best apprentice he could.

**Chair Quitt** called for the cancelling party and **Mr. Ziegenhagen** stated that he felt that the RJHC Committee and staff had acted in good faith with patience and compassion and offered multiple opportunities for correction. He concluded with the request that Nevada Administrative Code 610.461 be upheld in this case.

**Chair Quitt** reiterated that Council could not reverse the decision of a joint committee to dismiss an apprentice, or order the reinstatement of an apprentice, unless the Council determined the dismissal was arbitrary, capricious or based upon erroneous conclusions of law. She stated that the Council was responsible for considering issues presented today and opened up for discussion from Council.

**Archie Walden** stated that he saw no reason to overturn the decision. He noted that being an apprentice was an opportunity that a lot of people do not get to have, but a safety issue with drugs or alcohol, including that resulting issues that might occur to fellow apprentices or other workers was not appropriate. He stated that **Mr. Brooks** had been provided more than ample opportunity to correct the issues.

**Archie Walden made the motion to leave the Committee's decision to uphold the decision of the JATC in the case of Dismissal of Apprentice Mr. Brooks. Randy Canale seconded the motion. Motion carried. Madison Burnett abstained from the vote.**

**Chair Quitt** confirmed what **Mr. Walden** had observed, noting that it appeared that **Mr. Brooks** has personal drive and some safeguards in place that would allow him future success. She stated that the programs could not afford to have apprentices with substance issues, without positive testing or dishonesty, and although the Council did not agree to reinstate him at this time, she encouraged him to stay on track for the future.

**Mr. Brooks** thanked the **Chair**.

**Chair Quitt** closed the appeal.

XVII. SECOND 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.)*

**Louis Loupias**, Operating Engineers Training Trust, apologized to Chair and Council, stating he had relied on past practices, and as such, he understood that comments could be made by any parallel programs that could be spoken about before action were taken. **Chair Quitt** thanked Mr. Loupias.

There was no further public comment.

**Chair Quitt** asked to discuss future agenda items since there was no agenda item for this discussion. She stated that there had been previous discussion to have the Alamo Company and the Stationary Engineers on the February agenda, to come and speak to the programs that have been allowed to remain registered at this meeting.

**Madison Burnett** stated that would be helpful for those companies to come in and explain why they would like to have that held open.

**Richard Williams** agreed with that and stated that his office would accommodate that.

**Chair Quitt** said she had previously requested a future agenda item to review new programs as they approach the end of their probationary period. Mr. Williams stated that would be added to a future agenda, and could be provided as part of the routine reports.

**Chair Quitt** stated that based on the transition of new members, that OWINN staff considers, pursuant to statute, the Chair's right to request a special Council meeting, so she wanted to request a December 16, 2019 meeting. **Mr. von Collenberg** was in agreement with that, stating that would offer an opportunity for anyone who wanted to address concerns of SB207 and minimum apprenticeship utilization which would start on January 1, 2020.

**Andres Feijoo** stated that he could send a poll around to all served in order to make sure quorum would be met in December. **Chair Quitt** asked that Council Members timely respond to OWINN staff in a timely manner.

XVIII. ADJOURNMENT The meeting of the Apprenticeship Council was adjourned.

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, Monday, November 18, 2019.

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 OWINN.NV.GOV and may be requested from the Governor's Office of Workforce Innovation (OWINN) at 555 E. Washington Avenue, Ste. 4900, Las Vegas, Nevada 89101 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: 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 <http://owinn.nv.gov/>