

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

**\*\*\*MEETING MINUTES\*\*\***

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

**Date and Time of Meeting:** Thursday, July 16th, 2020 at 9:00 A.M.

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

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

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

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

**Council Members Absent** None

**Others Present:** Richard J. Williams, State Apprenticeship Director; David Gardner, Attorney General's Office; Craig von Collenberg, OWINN, Andres Feijoo, OWINN, Joan Finlay, OWINN,

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

**I. CALL TO ORDER & WELCOME**  
*Chair or Vice-Chair*

**Chair Walden** called the meeting to order at **9:02 a.m.** He welcomed Nevada State Apprenticeship Council Members and members of the public.

**II. ROLL CALL - CONFIRMATION OF A QUORUM**  
*Richard J. Williams, State Apprenticeship Director*

**Chair Walden** called for a 15-minute adjournment until a quorum could be met.

**Mr. Williams** He then called roll and informed the Chair that a quorum was present.

**III. VERIFICATION OF PUBLIC POSTING**  
*Richard J. Williams, State Apprenticeship Director*

**Mr. Williams** affirmed that the notice and agenda for this July 16, 2020, Nevada State Apprenticeship Council Meeting was posted according to Nevada's Open Meeting Law pursuant to NRS. 241.020.

#### IV. PUBLIC COMMENT

(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. The second public comment agenda items provide an opportunity for public comment on any matter within the Council's jurisdiction or advisory power.)

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

**Mr. Williams read public comment into the record from,** I Josh Morrow, Coordinator for the Northern Nevada Sheet Metal Apprenticeship, am writing for public comment on item #7 – Registered Apprenticeship Program Distance Learning Waiver. I would like to say that as a representative of our program we are in full favor of the waiver. This action by the State Apprenticeship Council will help our programs to continue providing quality education to our apprentices. This allows our apprentices, who are essential workers, to still earn their RTI credits for their raises and completion of the program which they truly deserve. Providing the opportunity for our programs to keep training the future journeypersons of our industry is crucial to meet the demands that will be placed upon construction when we begin to recover from this emergency situation. Thank you for the consideration of this important topic.

**Chair Walden** Thank you for reading public comments. Chair closed the public comment.

#### V. APPROVAL OF FEBRUARY 2020 MINUTES (*Information/Discussion; For Possible Action*)

**Chair Walden** called for approval of the previous meeting minutes. Chair Walden made a typographical revision on page one (1), with the change to Ms. Bostwick's first name noted.

**Jeremy Newman made a motion to approve the February 13, 2020 minutes as amended. Madison Burnett seconded. The motion carried.**

#### VI. APPROVAL OF MAY 2020 MINUTES (*Information/Discussion; For Possible Action*)

**Chair Walden** called for approval of the previous meeting minutes. Chair Walden made a typographical revision on page one (1), with the change to Ms. Bostwick's first name noted.

**Jeremy Newman made a motion to approve the May 7, 2020 minutes as amended. Thomas Pfundstein seconded. The motion carried.**

VII. *REGISTERED APPRENTICESHIP PROGRAM DISTANCE LEARNING WAIVER  
(Information/Discussion, For Possible Action)*

Good morning Chairman Walden and members of the Council. For the record, I am Richard Williams, Nevada State Apprenticeship Director. The distance learning waiver that is up for discussion and possible action was drafted after many conversations I had with our registered apprentice programs. I learned that with the ongoing pandemic issue along with the Governors Emergency Directive signed on March 13, 2020, programs were having difficulty with in-person instruction and activities.

I believe that this policy, as an option for Registered Programs, will address the concerns of any activity that would normally be done in-person.

More importantly, I believe that this is also in the best interest of our Nevada registered apprentice's so that they will be able to continue their curriculum and advance through the programs they are enrolled in.

I also want to be clear, that this policy may only be utilized while an active declaration by the Nevada Governor is in place and ends 30 days after the said declaration is lifted.

At this time, I would like to present this waiver for consideration and possible action to alleviate the concerns and ask the council to do what is best for our apprentices and our registered programs.

**Mr. Williams read proposed policy into the record, "Nevada State Apprenticeship Council Emergency Policy for In-person Instruction"** Nevada Registered Apprentice Programs seeking to propose an online course or distant learning curriculum or any other in-person activity in relation to program standards in place of in-person course instruction/activity may do so while an active order is in place issued by the Nevada Governor. This includes a declaration of a state of emergency or stay-at-home order or any declaration that would prevent in-person instruction. The program must submit the request in writing to the State Apprenticeship Director for approval. Once the program has received the required approval, the program may proceed with its online course/distance learning plan as it deems necessary to ensure its apprentices are continuing their required course instruction as outlined in their respective approved standards. It is further directed that once a state of emergency or stay at home order is lifted, the program must return to its instruction/curriculum in the manner specified in its program standards within 30 days.

**Mr. Canale** asked if this policy was approved today will Mr. Williams be sending this out to all of the Apprenticeship Programs so they can be aware of it. **Mr. Williams** confirms that his office will be sending it out and it will be posted on the OWINN website. **Mr. Canale** congratulated Mr. Williams for putting this together.

**Chair Walden** called for approval **Randy Canale made a motion to approve the Draft and the form Nevada State Apprenticeship Council Emergency Policy and Distance Learning Program Wavier. Ricardo Villalobos seconded. The motion carried.**

VIII. *BEGIN PROCESS TO UPDATE AND CHANGE NAC 610 (Information/Discussion, For Possible Action)*

**Mr. Williams** read NAC 610 that is up for discussion and possible action is necessary so that it can be brought up to date with the current NRS 610 statute and various other policies that are currently being handled by this council and our office, which the current language does not address. NRS 233B.050 also requires that we review NRS 610 at least once every 10 years.

NRS 610 was updated in the last few legislative sessions but the current NAC 610 was never updated to match those changes in statute or to match the current policies the council is performing.

This is simply a request by me to act on behalf of the State Apprenticeship Council to start the process of updating the regulations; by going through the current NAC 610 language and draft up changes that are needed. I intend to work closely with this council for advice and direction throughout the process to ensure transparency. We simply need to do this and do it right.

I also want to be clear, this agenda item before you today will not be final approval of any changes I suggest be made and will need approval by this council of any proposed changes at a future public meeting. This vote today is simply to allow me to begin the process of drafting updates to NAC 610 on your behalf and I will then present them to you for consideration.

This is a lengthy process to do, but I would like to briefly summarize the process for the council-

1. Receive approval from the council to begin the process
2. Begin drafting language changes
3. Conduct at least one public workshop to discuss NAC 610 and the proposed changes including notifying the Legislative Council Bureau of the meeting and agenda
4. Send the draft of changes to the Legislative Council Bureau for review.
5. After receiving the draft back from the Legislative Council Bureau, set a State Apprenticeship Council hearing for public comment
6. Conduct the hearing
7. Evaluate public comments and amend the draft if necessary, as instructed by the council
8. Draft the necessary forms to submit the amended draft back to the Legislative Council Bureau for review.
9. The Legislative Council Bureau will then submit the updated NAC 610 to the Legislative Commission for approval.

**Chair Walden** called for approval **Randy Canale made a motion to approve the Begin Process to Update and Change the NAC 610. Jeremy Newman seconded. The motion carried.**

IX. *STATE APPRENTICESHIP DIRECTOR REPORT* For the record, I am Richard Williams, Nevada State Apprenticeship Director. I will keep my report short today, at the next scheduled council meeting I will present on the status of Nevada Registered programs and apprentices. I would like to thank this council for its actions today and attending this special called council meeting, it just further shows your commitment to our state and it is appreciated! I would like to bring up one topic for the council to be

aware of. Our office did receive a complaint from an apprentice applicant in which the person claimed discrimination against one of our registered programs. As is the policy of this council and OWINN, we did forward the applicant's complaint in a timely manner to the Nevada Equal Rights Commission. We also did let the applicant know of our actions and provided contact information for that agency and to the applicant. In the event we receive notification that this program was found to have discriminated, I will inform this body at a future council meeting for its discussion and possible action. Mr. Chair, that concludes my director's report.

X. *PUBLIC COMMENTS*

(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. The second public comment agenda items provide an opportunity for public comment on any matter within the Council's jurisdiction or advisory power.)

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

(Public Comment emails sent to [ajfejoo@gov.nv.gov](mailto:ajfejoo@gov.nv.gov) will be read by the State Apprenticeship Director)  
**Mr. Williams** affirmed there were none

**Chair Walden** closed the second public comment.

XI: ADJOURNMENT

*Chair Walden*

The meeting of the State Apprenticeship Council was adjourned.

NOTE (1): Persons with disabilities who require special accommodations or assistance at the meeting should call (702) 486- 8080 on or before the close of business, Friday, July 10, 2020.

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

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

NOTE (4): Please provide OWINN with electronic or written copies of testimony 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 may be requested from the Governor's Office of Workforce Innovation (OWINN) by calling Joan Finlay at 702-486-8080.

**Governor Sisolak's Directive 006:** As per Governor Sisolak's Declaration of Emergency Directive 006, issued

March 22, 2020, certain provisions of Nevada's open meeting law contained within NRS Chapter 241 have been suspended due to Nevada's state of emergency. Directive 006 states:

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

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

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