

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: Wednesday, October 14, 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, Ryan Bellows, 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; Cheryl Olson, NSHE, Andres Feijoo, OWINN, Joan Finlay, OWINN, Douglas Howell, U S. Department of Labor, Christina Arnone, Harry Mowrey, Alex Beltran

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

1. CALL TO ORDER & WELCOME
Chair or Vice-Chair

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

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

Mr. Williams then called roll and informed the Chair that a quorum was present. **Chair Walden** welcomes the new council member Ryan Bellows.

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

Mr. Williams affirmed that the notice and agenda for this October 14, 2020, Nevada State Apprenticeship Council Meeting was posted according to Nevada's Open Meeting Law pursuant to NRS. 241.020.

4. 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.**

Chair Walden asked Richard J. Williams if there were any emails received.

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

Mr. Williams affirmed there were none

Chair Walden closed the public comment.

5. APPROVAL OF 2021 MEETING DATES (*Information/Discussion; For Possible Action*)

Mr. Williams read the 2021 proposed meeting dates into the record, according to NRS 610.070 to propose the following meeting dates:

- Thursday, February 11, 2021
- Thursday, May 6, 2021
- Thursday, August 5, 2021
- Tuesday, November 16, 2021

Chair Walden called for approval of the 2021 Meeting Dates. **Jeremy Newman made a motion to approve the 2021 Meeting Dates, Madison Burnett seconded. All those in favor say "Ave" Those opposed say "Nay" The Ave have it, and the motion carried.**

6. *ADDING NEW OCCUPATION TO EXISTING STANDARDS (Information/Discussion, For Possible Action)*

Discussion and possible action on the program sponsor's request to add occupation(s) within its previously approved program

Sponsor: Nevada System of Higher Education dba Truckee Meadows Community College

Cheryl Olsen described the proposed CNC setup programmer and milling and turning competency-based program. The program is a two-year competency-based program, which includes 360 hours of related technical instruction and approximately 4,000 hours of on-the-job training taught by qualified faculty members. The apprenticeship program leads towards an associate degree in manufacturing technology.

Chair Walden recommended that OWINN's address be added to the record.

Randy Canale asked if the Hamilton Company will be employing only four apprentices or less in the program at all times.

Cheryl Olson responded that this is currently correct, but that it may change in the future and at that time, adjustments will be made accordingly.

Randy Canale inquired if there were more than four apprentices, would they all be with the same employer.

Cheryl Olson confirmed that is correct as there is currently only one employer signed on for this particular occupation.

Randy Canale indicated that the current signature pages are outdated and contain signatures of some people who are no longer with the committee. Mr. Canale inquired if Ms. Olson would be willing to get a new signature page in a reasonable timeframe that includes the current sponsors.

Cheryl Olson responded that the process is already underway with the TMCC president and vice president of academic affairs, and anticipates that the documentation will be provided to OWINN by week's end.

Randy Canale commented that the apprentice agreement does not yet have the occupation name entered into it and requested that be corrected.

Cheryl Olson responded that she will work with the OWINN's office to correct that paperwork.

Randy Canale referred to the minimum qualifications and asked if the applicable aptitude tests are validated.

Cheryl Olson responded that the only aptitude test currently being utilized is the ACT, which is nationally offered and certified.

Randy Canale followed up this question by asking if the ACT is certified for this particular occupation.

Cheryl Olson confirmed that the ACT is a work-readiness aptitude test and not occupation-specific. She discussed that the exam ranks the level of aptitude in math, reading, and problem solving, but that there is no pass/fail. Ms. Olson also offered to provide further details regarding that assessment.

Randy Canale inquired if the word "pass" could then be removed as it implies the necessity of passing the test in order to be eligible.

Cheryl Olson responded that she would be happy to remove "pass" or replace it with the word "complete".

Randy Canale indicated that the current paperwork shows the number of journey workers at ten and the number of apprentices in training at five and inquired if that needed to be changed to four.

Cheryl Olson responded that she would be happy to update that as there are not five apprentices at this time.

Randy Canale questioned if the equal opportunity pledge required by 29 CFR 30 was included in the standard.

Cheryl Olson responded that if it was not already in there, she would gladly add it and work with the OWINN office to ensure that the appropriate language is included.

Chair Walden made a motion to approve the New Occupations with the stipulated changes. Randy Canale seconded the stipulated changes. All those in favor say "Aye" Those opposed say "Nay" The Aye have it, and let the record shows the motion carried.

7. NEW PROGRAM (*Information/Discussion, For Possible Action*)

1. INJ Standards of Apprenticeship and Associated Appendices B through D
Sponsor: T-Mobile Corporation
2. Appendix A – Business Support Analyst (competency-based)

Christina Arnone represented T-Mobile and presented the business support analyst apprenticeship program. The program is one year in length and is competency-based with training provided internally via on-the-job learning at 2000 hours, related technical instruction at 176 hours, and mentoring. Ms. Arnone indicated that in the INJ's standards of apprenticeship document, section 8, page 5, under a probationary period, the last sentence was placed in error and should be omitted. Ms. Arnone also indicated that although in Appendix A, number 3, the ratio of apprentices to journey, workers, is five to one, only a one-to-one ratio is expected initially. However, as the program grows, the five-to-one ratio offers T-Mobile greater flexibility, so Ms. Arnone respectfully requested an exception to the one-to-one ratio for the program.

Chair Walden had a question regarding page 3, item D, aptitude test. The current language states that when required by an employer, each advocate must pass an aptitude test. Chair Walden asked if the word pass could be removed if it is not a pass/fail test and replaced with the word take or perform.

Christina Arnone responded that the language could be changed for this program specifically.

Richard Williams commented that in a previous agenda item, the Board voted to change the word "pass" to the word "complete" and that would help on the administration end.

Randy Canale questioned a discrepancy in the documentation, noting that one area states that high-school students are eligible whereas Appendix A states that students must be 18 years of age and have one year of community college or the equivalent.

Christina Arnone explained that different programs have different Appendix A standards and that this particular program, given that it is a more professional apprenticeship program, does require being 18 years of age or older, having a high-school diploma or GED equivalent, and a year of community college.

Randy Canale inquired what type of community college classes are required to enter this program, and would students who took classes that have no relationship to this program still meet the requirement.

Christina Arnone responded that the intent was to have a year of coursework at a community college in a related discipline and that she would go back and look at the specific language and insert that language for clarity if needed.

Randy Canale discussed the need to incorporate the equal opportunity pledge that is required by 29 CFR 30 into the standards.

Christina Arnone responded that she is happy to work with Mr. Williams to ensure that the pledge is present in the documentation. Ms. Arnone further indicated that all the apprenticeship programs will be enfolded into the existing EEOC plan.

Randy Canale indicated that the curriculum needs to be submitted to the council for approval per NRS 10.144 3E.

Christina Arnone responded that the delivery of related instruction is currently internal to T-Mobile. She explained that the course topics and the descriptions below are an outline of the course topics that will be about this specific program. Ms. Arnone assured the Board that if any of the course topics were to change, the council would be contacted for approval.

Randy Canale asked Ms. Arnone if there is a course that is currently being used that is internal to T-Mobile.

Christina Arnone confirmed that to be correct.

Randy Canale reiterated that any changes going forward would need to be brought to the council given that apprenticeship programs need to be submitted to the council before changes can be made and incorporated and complimented Ms. Arnone on a job well done.

Chair Walden indicated that he did find the equal opportunity pledge on page 2 of the standards and asked Mr. Canale if he is comfortable with the language the way it is written or if he would prefer that the language be cleaned up.

Randy Canale responded that he would like the language changed to reflect that if any changes are made to the curriculum, it will be brought before the council for approval.

Christina Arnone confirmed that T-Mobile can work with Mr. Williams to incorporate the requested language.

Mr. Williams confirmed that he will work with T-Mobile to make the requested changes.

Chair Walden questioned if there are already high school registered apprenticeship programs in place.

Mr. Williams confirmed that high school registered apprenticeship programs are being currently discussed and he would like the current included language to remain in place for such a time that these programs become a reality.

Chair Walden called for approval to accept T-Mobile New Occupations and Standards. Randy Canale made a motion to accept the program with the recommended changes. Jeremy Newman seconded. All those in favor say “Aye” Those opposed say “Nay”. The Aye have it, and the motion carried.

8. REVISION OF PROGRAM STANDARDS OCCUPATION, APPRENTICESHIP AGREEMENT, AFFIRMATIVE ACTION PLAN, QUALIFICATIONS AND SELECTION PROCEDURES (*Information/Discussion, For Possible Action*)
Discussion and possible action on the program sponsor's revisions to its previously approved standards.

Sponsor: Northern California and Nevada Finishing Trades Institute

Occupation: Glazier (time-based)

Harry Mowrey discussed that there are currently two sets of glazing standards in place that affect only Southern Nevada and how the Nevada Finishing Trades Institute is looking to combine these standards into one master Glazier program that will reflect for all of Nevada.

Chair Walden confirmed that they are looking to combine two occupations/two different standards into one.

Alex Beltran confirmed that there are currently two two-year programs that they are looking to combine into one program so that there is one set of standards for all of Nevada for the Glazier trade.

Madison Burnett asked if combining the roles would change the final name to master Glazier or just Glazier.

Harry Mowrey confirmed that the final name would be Glazier.

Mr. Williams confirmed that the new 5910 form clearly states Glazier as the new occupation.

Chair Walden noted that in Appendix D, page 30, it is noted that applications will be selected by method number four, but that he was unable to find number four. Chair Walden asked for clarification on number four.

Harry Mowrey replied that number four is covered on all of page 30, all of page 31, and ending on page 32. Mr. Mower acknowledged that there should probably be an application selection procedure number four titling all of that.

Chair Walden asked if Mr. Mower would have an issue with changing the language to make it more understandable.

Harry Mowrey responded that he would not have a problem with changing the language.

Randy Canale noted that he had a question regarding Appendix B on page 30, 1B, an aptitude proficiency test.

Harry Mowrey confirmed that this test has been used extensively in California and it has been validated there.

Randy Canale had a question regarding the statement that any employee can be tested at the employer's request as a direct entry into the program per paragraph L on page 31. Mr. Canale expressed concern that the statement could imply circumventing the EEOC plan.

Harry Mowrey requested to take a moment off the record with Mr. Beltran. Chair Walden approved.

Alex Beltran explained that paragraph L is also included in California standards because occasionally when there is a shortage of manpower, this empowers the contractors to hire, thus alleviating the burden on the program and the actual contractor. Mr. Beltran added that they felt it should also be added to the Nevada standards for the same reason. Mr. Beltran assured the council that the list is to be used properly and according to the guidelines, and this clause is not to circumvent the list but rather to have in place in case it is needed as a last resort.

Randy Canale suggested perhaps using a different language that points to paragraph L applying to when no other applicants are available rather than relying on intent.

Chair Walden concurred with Mr. Canale and suggested adding something along the lines of as per contractor needs or based on available manpower to eliminate the appearance of circumventing the process.

Alex Beltran confirmed that they were willing to add as per contractors' needs at the recommendation of the committee.

Randy Canale was amenable to this change in the language.

Richard Williams suggested that language that also states that the intent is not to pass up on the list, but is due to the contractor's needs might be more appropriate as it further clarifies the process.

Alex Beltran assured the council that this only ever happens with a letter from the contractor directly requesting this as a need, and that letter is always kept in the records for auditing purposes.

Chair Walden indicated that this suffices for him, but he would still like to see the language added regarding contract and manpower needs as per request.

Randy Canale concurred with the Chair.

Chair Walden asked if Mr. Richard Williams would be willing to work with Mr. Mowrey and Mr. Beltran to add that language; Mr. Williams agreed that he would.

Madison Burnett, concerning page 2, number 12, Article 12 of the new standard-title layoff, asked who is the administrator.

Alex Beltran responded that the administrator would be the JATC of the program.

Madison Burnett asked for an example of why an apprenticeship would be canceled following a layoff of an apprentice.

Alex Beltran was not aware of any examples where that would occur unless the student failed to attend classes properly or the student failed to properly sign out a worklist that's required.

Harry Mowrey added that they would strike out the word "administrator" and replace it with the "JATC Committee."

Madison Burnett agreed with that. Both Chair Walden and Mr. Canale also agreed.

Jeremy Newman asked for someone to tell what the language was going to be.

Alex Beltran read the new language into the record.

Randy Canale requested that "approved by the committee" be added to the end of the statement.

Alex Beltran agreed to add that it needed to be approved by the committee to the statement.

Chair Walden made a motion to approve the recommended changes of the Revision of Program Standards Occupation Apprenticeship Agreement, Affirmative Action Plan, Qualifications, and Selection Procedures. Madison Burnett seconded. All those in favor say "Aye". Those opposed say "Nay". Mike Kennedy and Thomas Pfundstein. Abstain. The motion carried.

9. REVIEW REGISTRATION OF PROGRAM AND ASSOCIATED OCCUPATIONS
(Information/Discussion, For Possible Action)

Chair Walden asked if there were currently any apprentices in the other two programs.

Alex Beltran responded that there are currently apprentices in the other programs and they would like to move them over.

Chair Walden asked what route they would like to take to deregister the program and move the other apprentices over.

Harry Mowrey responded that they would like to notify all the apprentices of the program change, request for them to come into the office to go over the new standards, have them sign

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the appropriate paperwork for the changeover, and start the deregistration process and the new registration process through Rapids. All paperwork would be submitted to the council with a ten-day window.

Mr. Williams asked the deputy attorney general if that would be the proper way to transfer the apprentices.

Senior Deputy Attorney General David Gardner responded that this would be one way they could be transferred over and commented that the council has a lot of control over whether they would like to approve this or not.

Randy Canale asked how they would figure out who would go into what year of the new five-year program based on the registration of the old three-year program.

Alex Beltran responded that currently, the architectural program is a two-year program that was a lead-in to the master Glaziers program, with a one-year wait in between programs. He explained that they are taking them at the same rates and putting them into the five-year program, and eliminating the one-year wait to come back into the program.

Chair Walden confirmed that during the five years in the current program, students still qualified as apprentices during the one-year wait for the master Glazier program.

Alex Beltran confirmed that this was correct and that now there would no longer be a one-year wait; the program would continue straight through the five years, allowing the apprentices to earn at a higher rate than the current programs allowed during the one-year waiting period.

Chair Walden called for approval to accept the recommended changes of the Deregistration of the Architectural Glazier and/or Master Glazier Program. Jeremy Newman motion to accept the recommendation with the current transfer apprenticeships program to the New Northern #2001 Finishing Trades Institute. Ryan Bellows seconded. All those in favor say "Aye" Those opposed say "Nay", Mike Kennedy and Thomas Pfundstein, Abstain. The motion carried.

10. 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.**

Chair Walden then asked Mr. Richard J. Williams if any emails were received.

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

Mr. Williams affirmed there were none

Chair Walden closed the second public comment.

11. ADJOURNMENT *Chair Walden*

Chair Walden adjourned the meeting with the note of the next meeting will be on November 19, 2020

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, Thursday, October 8, 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 ajfeijoo@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.