

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, November 19, 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, Ryan Bellows, Stacey Bostwick, Craig Statucki, Dr. Ricardo Villalobos

Council Members Absent: None

Others Present: Richard Williams, State Apprenticeship Director, Senior Deputy Attorney General David Gardner, Attorney General's Office, Andres Feijoo, OWINN, Joan Finlay, OWINN, Douglas Howell, U.S. Department of Labor, Jamie Robison, Southern Nevada Carpenters Training Fund, Frank Hawk, Southern Nevada Carpenters Training Fund, Louis Ontiveros, Southern Nevada Carpenters Training Fund

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

1. CALL TO ORDER & WELCOME

Chair or Vice-Chair

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

2. ROLL CALL - CONFIRMATION OF A QUORUM

Richard J. Williams, State Apprenticeship Director

Mr. Richard Williams then called roll and informed the Chair that a quorum was present and Dr. Ricardo Villalobos would join the meeting at a later time.

Mr. Williams would inform the Chair when Dr. Villalobos would be on the phone.

3. VERIFICATION OF PUBLIC POSTING

Richard J. Williams, State Apprenticeship Director

Mr. Richard Williams affirmed that the notice and agenda for this November 19, 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.)

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

Chair Archie 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. Richard Williams stated yes and then read multiple letters into the Public Comments.

Mr. Harry Mowrey, Apprenticeship Coordinator DC 16 JATTF, sent in the first letter, which presented the Department of Labor's definition of a hybrid competent based program and discussed the proposal of offering an apprentice the ability to complete programming in two-and-a-half to four years, but explained that there are no written pathways regarding the standards on how each part of the competency will be documented. Mr. Mowrey indicated in his letter that the standards do not spell out how the decision will be made as to who completes in 5,400 hours versus who meets the competency in 8,000 hours. Mr. Mowrey further indicated that there is no inclusion in any of the proposed standards in how the written and hands-on proficiency measurements will be demonstrated. Mr. Mowrey indicated that no mention was made of any training in floor preparation products, carpet layout, seam cutting methods, hot melt seaming, stretch in carpet, pattern matching, matching sheet layout, heat welding, job site check procedures, making scale drawings, and sub-state preparation, and also indicated that seam cutting was listed twice. In addition, Mr. Mowrey indicated that in the drywall finishing standards, no minimum RSL or OJT time requirements are listed for competency.

Mr. Russell James, Regional Director for District Council 16 of the International Union of Painters and Allied Trades and president of the Northern Nevada Building Trades provided the second letter. Mr. James discussed whether or not applicants have supplied sufficient evidence that there is a need for the program to supply skilled workers in the north due to shortage. Mr. James indicated that in compliance with SB207, no waivers were granted except for drywall finishers and floor covers, while several were granted for carpenters, indicating no shortage for apprentices in these trades. Mr. James indicated in his letter that if there is no evidence of apprentice shortages presented with the application, this could prove to be detrimental to the existing apprentices already enrolled in these programs. Mr. James suggested that if the work

hours are divided between programs, the apprentices can either move back and forth between programs depending on the demand or continue to work in one program, which could potentially become a part-time job and as a result, suffer economic consequences. Mr. James indicated that with the consequences of a reduction in work hours and earnings, apprentices could potentially choose to leave the program. Mr. James pointed out the verbiage from the OWINN website, which reads that the state apprenticeship council has to regulate the supply of skilled workers in relation to the demand for skilled workers. Mr. James indicated that he has not seen any submitted information that would indicate a need for this program and asked the Council to table the matter until an audit review is done of the program.

Mr. Elio Diaz, District Council 16, Local 512 floor cover apprentice, wrote in indicating his reliance on his current health and welfare coverage given his current health. Mr. Diaz explained that where he split his contribution, it would make it very difficult to accumulate the hours needed to retain his current medical coverage and would ultimately place him in a financial crisis.

Mr. Albert Ellis of Western Partitions Inc. wrote in requesting an appeal of the state apprenticeship standards submitted by the carpenters. Mr. Ellis indicates that proposing a competing program will lower his business' ability to bid work and will cause hardship in trying to compete with a program that lowers the standards. Mr. Ellis indicated that the IUPAT apprenticeship program, of which he has been part for five years, is the leading apprenticeship program in his area and provides a skilled and trained workforce.

Mr. Richard Williams indicated that a fourth letter was received and appeared to be a retraction letter from WPI, but he was unable to read it due to poor quality.

Mr. Frank Hawk with the Carpenters indicated that he had the letter and could read it. Mr. Neil O'Conner, Director of Labor Relations for Western Partitions Inc. indicated that the letter received regarding the proposed Nevada training standards was the opinion of the signer and not that of WPI. Mr. O'Connor further indicated that WPI had issued no opinion regarding the Nevada training standards and did not intend to render an opinion. Mr. O'Connor apologized to the Council for the misunderstanding.

Chair Archie Walden asked Mr. Hawk to forward the letter to Richard Williams or Andres Feijoo so that OWINN could have it submitted for documentation and entered into the record.

Mr. Michael Urban requested that the documentation be provided to everyone who appeared and who made a statement.

Chair Archie Walden agreed and suggested that Mr. Andres Feijoo forward the letter to the required parties.

Mr. Richard Williams informed the Council that any documents read or received during the meeting would be posted on the OWINN website

Chair Archie Walden asked if the documentation would be public.

Mr. Richard Williams confirmed that it would.

Mr. Paul Cotsonis of the Urban Law Firm confirmed that the four letters submitted by his law firm in response to the letters sent to Mr. Alex Beltran, Director of Training for DC16, were received.

Mr. Richard Williams confirmed that the letters had been received, distributed to all state apprenticeship council members, and posted on the OWINN website and had now been public for several weeks.

Chair Archie Walden closed the public comment.

5. APPROVAL OF AUGUST 6, 2020 MINUTES (*Information/Discussion; For Possible Action*)

Chair Archie Walden called for approval of the previous meeting minutes. Chair Walden indicated a correction needed from page 5, line 6.

Chair Walden made a motion to approve the August 6, 2020, minutes as amended. Jeremy Newman seconded. All those in favor say “Aye”, Those opposed say “No” The Aye have it and the motion carried.

6. APPROVAL OF OCTOBER 14, 2020 MINUTES (*Information/Discussion, For Possible Action*)

Chair Walden made a motion to approve the October 14, 2020, minutes. Madison Burnett seconded. All those in favor say “Aye”, Those opposed say “No” The Aye have it and the motion carried.

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

Discussion and possible action for new program standards and a new occupation; Floor Worker/Layer.

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

1. IJ Standards of Apprenticeship and Associated Appendices B through D
2. Appendix A – Floor Worker/Layer

Mr. Mike Kennedy disclosed that he is the regional manager and the signatory company to the Painters and Allied Trades and represents Contract Flooring as a general manager. Mr. Kennedy indicated that he also sits on the Northern Nevada JATC Board for District 16. Mr. Kennedy indicated that he was disclosing, but not abstaining.

Sr. Deputy Attorney General David Gardner indicated that this was appropriate.

Ms. Jamie Robison of the Southwest Carpenters Training Fund indicated that the Southwest Carpenters' goal for standards is to merge all Nevada-approved, single craft standards into one craft standard and to remove repetitive language from the previous standard template. Ms. Robison indicated that for the southern and northern Nevada submittals, copies of the original standards and strike-through copies were submitted to help the Council visually identify modifications. Ms. Robison pointed out the following changes to the standards: in Appendix A, work process categories were aligned to the UBC and Southwest Carpenter Training Fund standardization, which uses a table format and RSI was also aligned to the UBC standardized training grid in that table format; a pre-job safety completion, which happens once an apprentice has been selected but before they report to the job site, was added to Appendix C. Ms. Robison informed the Council all today's submittals include the following: the newly adopted template and format, including the middle of regulation checklist that outlines the regulations locations with section and page references; standards body, including sections 1 through 27; Appendix A, which covers on-the-job training hours, ratio work processes, and related training; Appendix B, which is the DOL apprenticeship agreements for the craft presented; Appendix C, which outlines the affirmative action plan; Appendix D, which outlines the qualification selection procedures and workforce diversity goals; Appendix E, the employer agreements; and DOL form 5910, which is the wages and benefits.

Ms. Jamie Robison discussed agenda item 7, the request for approval to separate carpenters and apprentices that specialize in the floor covering to a standalone program; agenda item 8, standards for southern Nevada; and agenda item 9, the standards for northern Nevada.

Ms. Jamie Robison explained that the floor worker training has been a specialty under the carpenter program that has been outlined for the Council today. Ms. Robison informed the board that in Nevada, there is a percentage of carpenter journeymen who specialize in the floor covering installation, and to serve the signatory contractors wishing to employ an additional floor covering apprentices, approval is being sought for a standalone program. The employer agreements for these standards include two contractors, Mastercraft and Frontier Stoneworks.

Mr. Mike Kennedy asked if an apprentice is a signatory under the floor coverers, is any disciplinary action taken by the Committee if that apprentice works outside of that signatory agreement.

Mr. Frank Hawk responded that there is the potential of that happening.

Mr. Mike Kennedy confirmed that if an apprentice was a signatory to more than one union, there could be disciplinary actions by either or both unions.

Mr. Frank Hawk confirmed that this is correct.

Mr. Mike Kennedy confirmed that this means that the apprentice would then be obligated to pick one program or another rather than both.

Mr. Frank Hawk responded that this would be the determination of OWINN.

Mr. Mike Kennedy countered that this was also the determination of the contract language.

Mr. Frank Hawk concurred.

Mr. Mike Kennedy delved more deeply into the language regarding signatories and the spectrum of their allowed work.

Sr. Deputy Attorney General David Gardner requested that the Council remain on track with the agenda item at hand as the line of questioning was moving outside the scope of agenda item 7.

Mr. Mike Kennedy informed the Council that he was trying to determine if unfair bidding practices were being created.

Chair Archie Walden informed the Council that the questioning was treading into jurisdictional territory over with the SAC has no authority.

Mr. Mike Kennedy retracted his previous question and then asked if there is no opportunity for employment through a signatory contractor, would the apprentice then be required to drop membership in order to gain membership into another union.

Chair Archie Walden interjected that apprentices are not allowed to be established into two apprenticeship programs and that it is ultimately the determination of the unions to establish what is and is not allowed and not that of the Council. Chair Walden requested that the line of questioning continue keeping that in mind.

Mr. Richard Williams confirmed Chair Walden's assertion that from the standpoint of SAC, an apprentice can only be in one registered program at a time.

Mr. Frank Hawk clarified that his earlier answer pertained to unions.

Mr. Louis Ontiveros, Director of the Southwest Carpenter's Training Fund, confirmed that an apprentice can only be entered in one program and that this is one of the checks that is done when an apprentice joins the program.

Chair Archie Walden established that the Council does not want to delve into what unions allow versus what OWINN and the apprenticeship programs allow as they are separate entities.

Mr. Frank Hawk clarified that there are six different master labor agreements tied with general contractors within Nevada, so these may not appear as general contractors because they all have individual agreements.

Mr. Mike Kennedy asked for clarification regarding an apprentice who was a signatory to one union in which there is no employment: if the apprentice were to go to another union, would he

then have to drop his membership and enroll in another program?

Chair Archie Walden confirmed that once an apprentice entered into an indenture agreement with one program and submitted the documentation to OWINN to enter another, OWINN would then send back documentation showing their involvement with another program and the apprentice would then need to choose which program to keep and which to drop.

Mr. Mike Kennedy confirmed that an apprentice could then drop from one program to another and move back and forth between programs if the program allowed to re-enroll.

Chair Archie Walden confirmed that this is a common occurrence.

Mr. Mike Kennedy asked if an apprentice would be affected with new initiation dues and loss of health coverage when moving between programs in this manner.

Chair Archie Walden confirmed that an apprentice would be affected by those things if moving programs.

Mr. Frank Hawk indicated that this line of questioning included a lot of ifs given that each contract has different qualifications.

Chair Archie Walden reiterated that the questioning was moving into areas over which the Council had no control and should therefore focus on the apprenticeships program standards themselves.

Mr. Alex Beltran, District Council 16 Director of Training for the Painters, interjected that OWINN follows the affirmative action directives and that although the carpenters claim to do so, they do not as lowering wages and standards of living does not afford them equal opportunity.

Chair Archie Walden informed the Council that now was not the time for opposing programs to speak, that this particular time allotted was for the Council to ask the presenting program questions and that the opposition would be afforded the opportunity to speak following the Council's questions.

Mr. Mike Kennedy asked how many signatory contractors would be in northern Nevada for floor covering.

Mr. Frank Hawk responded that there is one signatory employer in northern Nevada, two contractor employers along with the in-house ones in southern Nevada. Mr. Hawk also informed the Council that many signatory employers may not reside in Nevada, but they do come into town. Therefore, Mr. Hawk concluded that he cannot speculate as to future bidding. Mr. Hawk also explained that they are a signatory with 700 contractors in the state of Nevada.

Mr. Mike Kennedy tried to confirm the number of signatory contractors that would pull from the JATC for apprentices.

Mr. Frank Hawk was unable to give a definitive number in answer to this question, but estimated 100-plus signatory contractors that had the potential to pull apprentices from the JATC.

Mr. Richard Williams clarified that the policy of the Council has always been that one employer is needed to get program standards approved and the carpenters currently have two.

Chair Archie Walden referred back to Mr. Harry Mowrey's letter questioning how each competency will be documented to show which apprentices complete 5,400 hours versus the 8,000-hour competency and asked Ms. Jamie Robison to elaborate on this issue.

Ms. Jamie Robison responded that there is a database system that records all the training and work hours for all the apprentices and that the goal is for all apprentices to at least complete the minimum in the DOL range allowed. Ms. Robison informed the Council that there are times when employment may drop or apprentices may need to miss school, and these circumstances do prolong the hours from the minimum needed up toward the maximum. Ms. Robison explained that depending on what's happening in construction, for the apprentice personally, or on a global level, such as the current pandemic, it is not possible to anticipate every situation for an apprentice. Therefore, Ms. Robison explained, the goal is to provide the apprentices with work opportunities. Thus the request for this program.

Chair Archie Walden discussed the need for a new program to try and meet the standards of an already-established program and asked Ms. Robison about the difference between the programs.

Ms. Jamie Robison responded that the UBC operates floor covering programs across the nation and that the training grid the carpenters are presenting to the Council is based on all that industry expertise and the inclusion of installed certifications that may exceed the industry standards. Ms. Robison further informed the Council that subject matter experts from across the nation participated in the development of the standards.

Mr. Frank Hawk informed the Council that they are using tried-and-true programs that have worked in other markets and that they believe will work in Nevada and that they have much confidence in the program.

Director Louis Ontiveros added that they are a professional organization with installation programs throughout the US and Canada and explained that with construction workers being transient, apprentices can go to whatever state the work is needed to complete their hours and that this is included in all of the standards.

Chair Archie Walden asked if each program currently has approximately 14 workers.

Mr. Frank Hawk expressed his assumption that this was correct but mentioned to the Council that he did not have the numbers in front of him at this time.

Mr. Randy Canale asked for clarification regarding the hybrid program and the language

regarding a sponsor utilizing a career lattice as a pathway for an apprentice to move upward.

Ms. Jamie Robison explained that this is not only a pathway through the program, but that they also work with community college partners in helping apprentices have a career path through a journeyman install program once they've completed apprenticeship where apprentices can increase their abilities and their standing within the industry as well as the fact that the program promotes moving up to leadership roles.

Mr. Randy Canale asked Ms. Robison to confirm whether there was a minimum standard where apprentices could test out and get advanced standing in advance.

Ms. Jamie Robison responded that there is no testing out and referred to the schedule table Appendix A on page 1 that indicates the number of on-the-job learning hours. Ms. Robison informed the Council that apprentices come to school four times a year for a week of training, return to employment in the months between that training, and their work processes and proficiencies are recorded and evaluated.

Mr. Randy Canale questioned the language on page D7 regarding the direct entry provision and minimum standards. Mr. Canale's question was twofold: how can the people who do not have the minimum standards be expected to be successful; is this discriminatory to everyone else who does have to meet those standards.

Ms. Jamie Robison clarified the language and explained that applicants that work with a direct-entry partner do not need to use the application process and can complete the program under the developed partnerships. Ms. Robison further explained that the developed partnerships must meet the same standards as anybody entering the program.

Mr. Randy Canale questioned the language of the section, indicating that Ms. Robison told the Council that apprentices need to meet the minimum qualifications but that the language in the document indicates that they do not need to do so and he indicated the area in Section B2 that indicates this. Mr. Canale noted that this is in direct contrast to the Nevada Revised Statutes and the CFR.

Ms. Jamie Robison acknowledged the section to which Mr. Canale was referring and indicated that if there was an objection to that wording, the wording should be removed or corrected.

Mr. Randy Canale concurred that if that part was struck, he would have no further objection to the language. Mr. Canale raised one further objection concerning applicants from the Bureau of Prisons and the language indicating that they do not need to meet the minimum qualifications.

Ms. Jamie Robison agreed with Mr. Canale and agreed to revise the language in all Appendix Ds as the template for Appendix D is identical in all of the standards.

Mr. Randy Canale asked Ms. Robison to explain the section of the standards regarding an alternative selection method, which states that if an applicant receives a letter of intent to hire from

a signatory employer, a letter of intent to hire can be used as part of the alternative method.

Ms. Jamie Robison explained that when the Appendix D version was approved, it was with assistance by the Department of Labor for allowing contractors to provide job seekers with a letter of intent to hire, and in their processes, that letter would have the same point as the JATC selection letter, which was why it was called an alternative selection method.

Mr. Randy Canale indicated his concern regarding the potential for nepotism within the program under the current existing language in the alternative method section and indicated that this language may need to be revised in the interest of uniformity. Mr. Canale gave the example of another program using similar language but with the included caveat of there being no applicants on the current waiting list.

Ms. Jamie Robison explained to the Council that the programs are moving forward since the onset of the DOL's EEO changes. Ms. Robison discussed that there is an affirmative action plan in place, a reporting period each year which can be done quarterly where they look at minority and female participation, and that there are programs that are encouraging seeking out females that want to be in instruction. Ms. Robison further stated that they are checking their percentages and don't feel that they are excluding anyone at this point.

Mr. Randy Canale acknowledged that he did not believe this was the intent, but expressed concern that the Council could not read intent in the language and that theoretically, based on the language, this exclusion could occur. Mr. Canale indicated that perhaps not in this program but future programs, female utilization is underrated and this could have an adverse effect on those numbers. Mr. Canale further concluded that the qualifications to use this alternative selection method would not be met unless the language was inserted indicating that this method would be utilized if no one else was available on the selection list.

Mr. Frank Hawk indicated that their experience has been quite the contrary as when they have had minority targets on projects, the minority participation increased because contractors were trying to hire within the zip codes of the areas and to uplift the minority community. Mr. Hawk also indicated that contractors have their own minority targets that they want to hit. Mr. Hawk finished by saying that they have learned and truly believe that the diversity of their organization has made them stronger.

Mr. Randy Canale reiterated his reluctance to hold this program to a different standard than other programs that are not allowed to have this language and again indicated that the existing language creates the potential to undermine equal opportunity and create an adverse effect on selection procedures.

Mr. Frank Hawk responded that they would be willing to collaborate and cooperate with OWINN.

Chair Archie Walden asked Mr. Canale if he would like to see the language stricken or modified.

Mr. Randy Canale responded that he would like to see the language modified to include that this provision would only be used under certain circumstances and indicated that these types of selection methods were what led to EEOC issues in the first place.

Ms. Jamie Robison suggested including language along the lines of looking at the alternative selection procedures periodically for adversity, and if minority percentages remain where they should be and that there are positive gains for female utilization, they can then report that there is no adverse outcome.

Mr. Randy Canale indicated that this language would be acceptable for him and suggested working with Mr. Williams on that exact language.

Ms. Jamie Robison indicated that they would adopt the statement to reflect that they would specifically be looking for adversity in the affirmative action plan annual reports and periodic reports. Ms. Robison further indicated that they would ask for a report of the applicant list to ensure that no females were passed over as a result.

Mr. Randy Canale agreed that this would more than meet his criteria and asked if they would be willing to include it in all of their standards.

Ms. Jamie Robison indicated that they would.

Mr. Richard Williams commented that he would work with the carpenter's program to make the suggested changes.

Chair Walden asked why southern Nevada has a two-to-one ratio of journeymen to apprenticeship ratio while northern Nevada has a three to one.

Mr. Frank Hawk indicated that the ratios come directly out of the labor agreements for the north and the south.

Chair Archie Walden confirmed with Mr. Hawk that under NAC 610.438, it's required to have a one-to-three ratio even though they have a one-to-two ratio listed.

Mr. Frank Hawk confirmed that they are familiar with that standard.

Chair Archie Walden indicated that he was not going to ask them to amend this as he has seen it on other contracts as well. Chair Walden next indicated that in the selection procedures in Appendix D Item F, some of the standards state that selected applicants must respond within eight hours of notice, and in other places, the standards state that the selected applicant must respond within 48 hours of notice. Chair Walden asked if each one was different or if there was perhaps a type somewhere.

Ms. Jamie Robison explained that the change was made to eight hours of notice and should be noted that way in the standards and will be amended to reflect the change.

Mr. Randy Canale asked if the eight hours were total hours or business hours.

Ms. Jamie Robison indicated that she will amend the language to include eight business hours.

Mr. Madison Burnett indicated that Appendix D, Section 3, Selection Procedures indicates that there are nine sections, but in looking at that, he saw only eight followed by two subsections and asked if nine was missing.

Ms. Jamie Robison indicated that nine is on the next page but that in the text she will need to correct that.

Mr. Madison Burnett indicated that the same error appears on D7 for direct entry.

Chair Archie Walden asked for comment from opposing programs once all Council members had concluded their questioning.

Mr. Michael Urban of Urban Law Firm commented that he did not hear anywhere in the presentation an explanation of how the carpenters can explain non-compliance with the plan for the settlement of jurisdictional disputes that are awarded this work only to painters west of Kansas City and work for the carpenters only east of Kansas City, which is the Eller Decision by the Plan for Settlement of Jurisdictional Disputes dating back to 1942.

Sr. Deputy Attorney General David Gardner interjected his concern that the discussion was moving away from the topic on the agenda and was in violation.

Chair Archie Walden informed everyone that the State Apprentice Council could not address jurisdictional disputes between the trades as they do not get involved in union business. The sole objective of the Council is either to approve or not approve an apprenticeship program without jurisdictional prudence.

Mr. Mike Urban informed the Chair that Urban Law Firm was not asking the Council to make the determination, but rather to take into consideration that the determination has already been made at a national level and because the new program fails to recognize that determination, the Council should not sanction it.

Chair Archie Walden responded that by doing so, the Council would be delving into a union territory and the union is completely separate from the Council.

Mr. Frank Hawk informed the Council that much has changed in terms of composition, material, and technology since the 1942 plan and that the carpenters need to be looking at how many non-union jobs are taking place regularly between Nevada and Kansas City where apprentices are not being used. Mr. Hawk further explained that the carpenters need to be thinking about how to build the apprenticeships to be a stronger part of an industry where more apprentices can be deployed.

Mr. Alex Beltran, Director of Training for District Council 16 Painters and Allied Trades, informed the Council that he had not yet heard a need for a program from the carpenters. Mr. Beltran further explained that it was stated that no waivers had been granted and that the carpenters do not participate in SB207. Mr. Beltran next opined about the lack of equal opportunity in the new program as it lowers wages, lowers standards and cost of living, and is not giving a proper opportunity to the individual apprentices. Mr. Beltran argued that by accepting a competing program that doesn't have equal opportunity and doesn't have a need, the Council would be taking away from the currently registered apprentices. Mr. Beltran concluded by expressing his belief that this type of program should not be put in place until some sort of need for it can be proven.

Chair Archie Walden reminded the Council that Mr. Williams stated earlier in the meeting that the only requirement for the Council to approve an apprenticeship program is one contract, and the carpenters had already established two, one with Master Carpet Services and a second with Frontier Stoneworks. The Council does not establish a need regarding the program. Chair Walden reminded the Council that the EEOC documentation regarding direct entry and alternative methods would be amended per the requests of Mr. Randy Canale and Chair Walden and that the question of this program affecting others is a matter for unions to decide and debate and not that of the Council.

Mr. Alex Beltran reminded the Council that they were allowed an additional 30 days for re-review following the proposed amendments to the documentation before going before the Board for acceptance.

Mr. Richard Williams informed the Council that as has been customary practice through previous programs and meetings, agreed-upon changes at the meeting are contingent upon approval of the program standards or agenda item.

Chair Archie Walden confirmed that the program will not be approved until the changes are made with the submittal, but that the carpenters do not need to come back in front of the Council for a future meeting. Chair Walden confirmed that the changes are made and submitted to OWINN and then accepted as changed on the recommendation of the Council.

Mr. Alex Beltran opined that when there are opposing programs, there needs to be due process for the competing program.

Sr. Deputy Attorney General David Gardner clarified that there are no due process rights for any similar programs. Their only right under NAC 610.355 is the notice that is sent 30 days before allowing that they may comment. Mr. Gardner further informed the Council that contingent approval is common in any public body and that the SAC has always followed contingent approval because that is the norm in Robert's Rules of Order and in Parliamentary Procedure. Mr. Gardner informed the Council that there is no legal issue with the Council moving forward with approval if it so decides.

Mr. Jason Lamberth, Regional Director for District Council 16, informed the Council that there had been no discussion regarding wage rates and the impact they would have on an apprentice or

contractor.

Mr. Frank Hawk mentioned to the Council that although they had submitted two contracts to double the minimum requirements of the Council for approval, the carpenters did have multiple other contracts as well.

Mr. Paul Cotsonis of the Urban Law Firm indicated to the Council that under NRS 610.020, the Council had a responsibility to look not only at the proposed program itself but also at the effects that the program would have on the industry in the future, including topics like the demand and supply for skilled workers as well as the aforementioned issues with apprentices switching unions and possibly not meeting the requisite number of hours to qualify for benefits.

Sr. Deputy Attorney General David Gardner informed the Council that NRS 610.020 is aspirational goals and that if the legislature wanted to interpret the way the Urban Law Firm is asking for it to be interpreted, something would have been provided in NRS 610.144, which talks about program eligibility requirements. Mr. Gardner further stated that there is nowhere in the statute that says the Council can ignore section 610.144 and add in extra sections and expressed his concern about this potentially causing issues.

Chair Archie Walden called for a motion to approve the program.

Randy Canale made a motion to approve the new program standards and a new occupation; Floor Worker/Layer with all changes that have been presented and agreed to. Jeremy Newman seconded. All those in favor say "Aye", Those opposed say "No." Thomas Pfundstein abstained from the vote. The Aye have it and the motion carried.

8. REVISION OF PROGRAM STANDARDS 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: Southwest Carpenter and Affiliated Trades Joint Apprenticeship and Training Committee (JATC) (Southern Nevada)

1 IJ Standards of Apprenticeship and Associated Appendices B through D

2. Appendix A – Carpenter, Drywall Applicator, Drywall Finish/Taper, Millwright, Pile Driver, Scaffold Erector

Ms. Jamie Robison, Southwest Carpenters Training Fund, informed the Council that there are not any new crafts in the Southern Nevada standards, merely existing approved crafts that have now merged into a single standard. Ms. Robison informed the Council that the cover page now includes all the O*NET Codes for the existing approved programs. Ms. Robison informed the

Council that all the information was the same as previously stated with the aforementioned template change. Ms. Robison informed the Council that there is a checklist so that the pages within the new document where the regulations are covered are so noted. The same table with training and work processes is now aligned with the template, and the same comments and suggestions made for revisions to Appendices C and D will be made for these documents, as well.

Chair Archie Walden noted that the document states that the affirmative action plan is located in Appendix B but is actually located in Appendix C whereas Appendix B is the apprenticeship agreement and application for certification.

Ms. Jamie Robison acknowledged that the wrong letters are noted and that the plan does need to be relabeled correctly.

Mr. Randy Canale discussed NAC 610.360, Item L, which states that a program must maintain a successful completion rate for apprentices of 50 percent or more over the training period in the approved program unless the approved program provides the Council with a reasonable explanation for non-compliance. Mr. Canale mentioned three of the programs from the last three years, all of which did not meet the required 50-percent completion rate, and asked the carpenters for an explanation. Mr. Canale acknowledged that the numbers he provided may not be exact, but expressed concern that the variances still seemed high to him.

Mr. Frank Hawk explained that after the 2008 crash, they went from being the largest local union for the United Brotherhood of Carpenters in the country with 12,000 members down to 3,000 members. Mr. Hawk explained that a lot of the pile driving work is done along the Colorado River and there has been a constant conversation with contractors regarding the state out of which the apprentices are based. Mr. Hawk explained that they are constantly looking to make improvements in this area. Mr. Hawk also discussed the issues they have encountered at the national security level and used the Hoover Dam and the Nevada test site as examples. Mr. Hawk again discussed the impact of the poor past economy and informed the Council that they are looking to make improvements and collaborate with the contractors in hopes that the work picks up and continues. Mr. Hawk expressed concern that the numbers presented for the drywall program were incorrect as 35 percent of their man-hours were coming out of Las Vegas alone with what he believes are similar numbers out of northern Nevada. Mr. Hawk informed the Council that he is working on verification of those numbers presented.

Director Louis Ontiveros, Southwest Carpenters Training Fund, acknowledged the issue and discussed the difficulty to retain apprentices in the program in states like Nevada with a lot of transient workers.

Chair Archie Walden asked Mr. Canale if the numbers he had provided included apprentices removed for probationary reasons and explained that if apprentices were removed for probationary reasons, they were not supposed to count against the numbers.

Mr. Randy Canale explained that he had requested the numbers from the apprenticeship office

from OWINN and so he did not know for certain what the inclusions were in the numbers, just that the discrepancy seemed very large in the drywall applicator numbers.

Chair Archie Walden agreed that the discrepancy appeared large.

Mr. Richard Williams explained that the numbers supplied to Mr. Canale came from RAPIDS, which is a federal system and were the most accurate numbers that the Council could obtain. Mr. Williams also explained that the drywall program currently showed 37 cancellations in the program over the last five years and that those 37 cancellations were outside of the number that was stated earlier by Mr. Canale.

Mr. Frank Hawk discussed the semantics of the term drywall applicator, whereas three to four years ago, that position was lumped in with the carpenters. Mr. Hawk explained that he was not disagreeing with the statistics, but did express confusion regarding why the numbers were as high as they are.

Mr. Mike Kennedy asked for clarification regarding the wage schedule. Mr. Kennedy also asked of the 640 supplemental and sectional hours listed, how many of those hours were dedicated to drywall finishing.

Ms. Jamie Robison responded 640.

Mr. Mike Kennedy asked if the classroom training overlaps two different professions such as drywall applicator and finisher.

Ms. Jamie Robison responded that there is a small amount of crossover into the drywall program but that they are two separate programs. Ms. Robison confirmed that the program includes 640 hours.

Mr. Randy Canale asked if these were being covered individually or all just under Item A.

Chair Walden replied that he would prefer to go with the standards first and then cover each individual revision.

Mr. Randy Canale discussed discrepancies within the 5910 form regarding wage. Mr. Canale pointed out that there are two different hourly wages listed for journey workers and asked which wage is the correct one.

Mr. Frank Hawk explained that rate changes occurred in July, during the composition of the documentation, and that the correct wage is \$40.36 with a total package of \$65.57.

Ms. Jamie Robison confirmed that the wage changes occurred during the composition of the documents and apologized if she had not corrected each location. Ms. Robison informed the Council that she had made a note to update the documentation to include the correct amount of \$40.36. Ms. Robison acknowledged that there may be other wage discrepancies and that

she was willing to go through each one with the Council to make the necessary corrections.

Mr. Randy Canale asked if it would be easiest to say that the wage rates on the 5910s are the accurate ones so that each one did not have to be gone through during the meeting.

Ms. Jamie Robison confirmed that this was the case.

Chair Archie Walden recommended for the sake of expedience that the carpenters agree to adjust the 5910 and/or Appendix A to reflect the correct wage rate and the wage increases for the 40 apprentices in the document as required or noted. Chair Walden asked Mr. Richard Williams to work with the carpenters to make the necessary changes.

Mr. Richard Williams agreed to do so.

Chair Archie Walden confirmed that Appendix B would be approved with the requested changes by Mr. Randy Canale in the previous agenda item.

Ms. Jamie Robison confirmed that the requested changes would be made.

Chair Archie Walden next discussed the revisions. Chair Walden asked if the marked-out undersection in green on page 18, section 6 was a typo.

Ms. Jamie Robison explained that the existing standards had needed reorganization and so what's highlighted in green replaced and moved some of the sections.

Chair Archie Walden wanted to confirm that the strikethrough in section 6, supervision of apprentices and ratios, was an actual strikethrough or unintended as per the table of contents.

Ms. Jamie Robison confirmed that the section was intended to be there without the strikethrough.

Chair Archie Walden noted a second section with the same issue--page 26, section 19, amendments and modifications.

Ms. Jamie Robison confirmed that the section was intended to be there without the strikethrough.

Mr. Frank Hawk mentioned that another retraction letter was sent in by a drywall contractor right at the time of the public comment and requested to read the letter into the record. Mr. Hawk read into the record a letter from Vergith Contracting, informing the Council that they had no issues concerning the carpenter's apprenticeship training program, that they had been signatories with local 1977 for carpenters and signatories with Local 159 for painters and drywall finishers and had always maintained excellent relationships with both unions. The letter further stated that the company had no position regarding the proposed apprenticeship training program.

Mr. Richard Williams confirmed for the Council that the letter would be posted along with the other letters for public comment received via email.

Chair Archie Walden noted that in the drywall applicator standards, on page 17, section 4, qualifications for apprentices, item C needed to be corrected from applicants must submit a 00214 to applicants must submit a DD214.

Mr. Jeremy Newman asked why on page 14, Sections A, B, and C of the carpenter's section, the requirement for the chair and secretary of the joint apprenticeship training counsel to be opposing parties was removed and noted that the documentation further reads that the chairperson and secretary can make all decisions or have the power to answer all questions, which could potentially be problematic if both were members of the same party. Mr. Newman pointed out that the requirement for the chairperson and secretary to rotate annually among the members was struck out in the document, and that in Section B, the quorum of one labor and one management representative must be present to conduct JATC business was also struck out.

Ms. Jamie Robison responded that the wording was out of order and needed to be moved and that she would remove the strikethrough in the section on the quorum. Ms. Robison noted that she would go through and make those changes throughout the document where needed.

Chair Archie Walden noted that the cover page in Section D says Southern Nevada Carpenters and questioned if it should say Southwest Carpenters.

Ms. Jamie Robison confirmed that it should say Southwest Carpenters and agreed to make the necessary change.

Chair Archie Walden noted that in Appendix D4, page D4, under qualification for selection, there is a number eight where there should be a letter D. Chair Walden questioned whether the millwright's program was a new program for southern Nevada or a revision.

Ms. Jamie Robison replied that it is a revision and that she would make the necessary change to the title page.

Chair Archie Walden asked for comments from the opposition.

Mr. Harry Mowrey asked if the statistics from RAPIDS were available in regards to the Drywall Finishing Program.

Chair Archie Walden replied that the numbers would need to be obtained from OWINN and that he did not have the numbers available.

Mr. Richard Williams interjected that the numbers were sent to Mr. Randy Canale and requested that Mr. Canale read the numbers into the record.

Mr. Randy Canale confirmed that in the last three years, one apprentice had begun the taper program and one apprentice had completed the taper program.

Mr. Harry Mowrey asked why the program was being allowed to continue when they had not fulfilled their obligation of apprenticeship training.

Chair Archie Walden responded that the program has a certain timeframe before it can be deregistered and as nothing has yet been presented to the Council by OWINN or the program itself, the Council cannot act to deregister.

Mr. Richard Williams interjected that currently RAPIDS shows three active, registered participants and encouraged everyone to refer to the program for other numbers if needed.

Mr. Randy Canale explained to the Council that NAC 610.365 states that after serving notice of its intent as set forth, the Council may cancel an approved program or occupation within an approved program if the program has not indentured an apprentice within the immediately preceding year. Mr. Canale further stated that the Council did not know whether or not an apprentice had been indentured within the past year and even if that were the case, this item would need to be agendaized as a separate item in a future meeting because it is not currently in this meeting's agenda.

Sr. Deputy Attorney General David Gardner confirmed Mr. Canale's statement that this would need to be agendaized as a separate item in a future meeting.

Chair Walden made a motion to approve the revision of program standards apprenticeship agreement, affirmative action plan, qualifications, and selection procedures with all changes that have been presented and agreed to. Ryan Bellows seconded. All those in favor say "Aye", Those opposed say "No." Thomas Pfundstein abstained from the vote. The Aye have it and the motion carried.

9. REVISION OF PROGRAM STANDARDS, NEW OCCUPATIONS 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 and the addition of 4 new occupations to those standards.

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

1. IJ Standards of Apprenticeship and Associated Appendices B through D
2. Appendix A – Carpenter (existing), Drywall Applicator (existing), Drywall Finish/Taper (new), Millwright (new), Pile Driver (new), Scaffold Erector (new)

Ms. Jamie Robison explained to the Council that at some point the regional Council agreement changed to a statewide agreement, but the merger of the existing programs that should have followed this change was overlooked, and the Southwest Carpenters and Affiliated Trades are seeking to rectify this oversight by proposing that the six approved crafts in southern Nevada be included in a merged copy of revised, statewide standards.

Mr. Frank Hawk explained that the drywall agreements all were converted to six state agreements, and that is why he is unable to pinpoint an exact time and place to include just northern Nevada.

Mr. Randy Canale noted that in section CA-A4, there is a new program listed for floor cover, but in the carpenter program, there are already listings for flooring installations and repairs, carpet installation, certification, and install resilient flooring installation, and certification install. Mr. Canale noted that it appears that this competes with the already existing program and asked which programs would be doing the work.

Ms. Jamie Robison explained the proposal that the specializations be moved from the carpentry work and that up to now, the carpenters have been doing this type of work under the carpenter program.

Mr. Randy Canale asked if the carpenters would continue to do the carpet installation or if it would be removed from the carpenter program and listed only within the flooring program.

Mr. Frank Hawk explained that these are listed under supplemental skills and therefore are basically an elective for apprentices who are interested in learning more about those particular specializations.

Mr. Louis Ontiveros confirmed Mr. Hawk's assertion that these are supplemental electives that apprentices can choose at the end of their apprenticeship.

Ms. Jamie Robison confirmed that there are requirements listed in the documentation, but that these are the optional classes apprentices may choose to broaden their skillsets.

Mr. Randy Canale questioned why, if these are optional courses and not mandatory, they are included as part of the standards. Mr. Canale restated his assertion that this appears to be competing with the other approved program.

Mr. Louis Ontiveros concurred and agreed to remove these electives from the standards.

Mr. Mike Kennedy raised the same issue with optional courses included within the standards for drywall that Mr. Canale had raised regarding carpet installation.

Mr. Frank Hawk explained that unlike with the carpet and flooring, the supplemental class on drywall finishing is imperative to the industry as understanding the finishing process is closely related to the hanging process and makes the apprentice more proficient.

Mr. Madison Burnett noted that on page 18, section 20, under adjusting differences and complaint procedures, what an applicant or apprentice should do if an issue exists that adversely affects his/her participation in the program, the actual avenues the applicant/apprentice should take to address this situation are not included in the documentation. Mr. Burnett pointed out to the Council that this is missing in both the carpenter and the drywall applicator sections.

Chair Archie Walden explained that the avenue would be to go to OWINN or the Department of Labor.

Ms. Jamie Robison informed the Council that she inadvertently struck them out rather than move them and will insert them after section 20.

Chair Archie Walden opened the discussion for opposing programs and their concerns.

Mr. Alex Beltran noted that the opposing program does not afford them equal opportunity and was lowering the standard of wages for the apprentices and dividing where the apprentices can work. Mr. Beltran further stated that Mr. Canale and Mr. Newman do not believe in fair wages and equal opportunity and expressed to the Council that he expected his concern to be overlooked for that reason.

Chair Archie Walden thanked Mr. Beltran for his comments.

Mr. Russ James suggested that the Council audit the program in the south to find out the real number enrolled and review the program before expanding it to the north as, in Mr. James' opinion, it did not look as though the program could even qualify as a program based on numbers in the south.

Chair Archie Walden asked the Council for commentary regarding Mr. James' comments and hearing none, asked Mr. Richard Williams for his opinion.

Mr. Richard Williams informed the Council that he would take the direction of the Council on that matter.

Mr. Mike Kennedy recommended that this be agendized in a future meeting. Mr. Randy Canale seconded the recommendation.

Mr. Richard Williams pointed out to the Council that discussion and motion should be brought up as a future agenda item and asked Sr. Deputy Attorney General David Gardner for clarification.

Sr. Deputy Attorney General David Gardner concurred with Mr. Williams' suggestion that this needs to be brought up as an agenda item in the future.

Chair Walden made a motion to approve the revision of the program standards apprenticeship agreement and the addition of 4 new occupations to those standards with all changes that have been presented and agreed to. Jeremy Newman seconded. All those in favor say “Aye”, Those opposed say “No.” Thomas Pfundstein abstained from the vote. The Aye have it and the motion carried.

10. APPRENTICE APPEAL (*Information/Discussion; For possible Action*)
Appeal of Dismissal – Bredwell vs. Plumbers Local 350 JATC

Mr. Randy Canale informed the Council that he would be recusing himself from item 10 and would be assisting Mr. Chad Roukey of the Plumbers Local 350 JATC.

Mr. Chad Roukey, Assistant Coordinator for Plumbers Local 350, informed the Council that Mr. Bredwell has received up to ten violations of the rules and regulations, including issues with attendance, missing classes, and refusal to work.

Mr. Sean Bredwell asked for clarification regarding the refusal to work accusation and the ten alleged infractions against him. Mr. Bredwell informed the Council that he has not been told of these infractions and is unclear on the refusal-to-work accusation.

Mr. Chad Roukey informed the Council that Mr. Bredwell had been notified by the union hall for dispatch to go to work and responded that he would be out of town for a couple of weeks.

Chair Walden informed Mr. Bredwell that upon looking through his file, he sees that Mr. Bredwell was required to attend an online apprenticeship class due to COVID quarantine which he did not attend. Chair Walden noted that Mr. Bredwell had missed class several times for various reasons.

Mr. Sean Bredwell confirmed that Chair Walden's assessment is correct. Mr. Bredwell informed the Council that he was in attendance at this meeting in hopes of another chance to remain within the program. Mr. Bredwell explained to the Council that the emails he's received regarding either in-person or online classes have been unclear. Mr. Bredwell explained that he missed the online class because he needed to help a friend with car trouble in California get home. Mr. Bredwell reiterated that the emails were unclear and explained to the Council that he did switch the days around for class as required and that he twice explained to the program his actual quarantine dates, which the program insisted were past his two-week period.

Chair Archie Walden tried to confirm if the class during that quarantine period was an online class. Mr. Bredwell replied that this was his personal time.

Mr. Chad Roukey explained to the Council that most of Mr. Bredwell's classes had been rescheduled for makeup multiple times and still missed. Mr. Roukey also explained that the COVID dates for testing and quarantine that Mr. Bredwell provided did not make sense, which added to the confusion.

Chair Archie Walden listed several of the infractions in Mr. Bredwell's file including absenteeism and tardiness, failure to listen to journeymen, little initiative, and unpreparedness and non-attendance of classes. Chair Walden informed Mr. Bredwell that his issues with tardiness and absenteeism appear to be a pattern and are consistent and that it is difficult to make excuses for a person who has multiple missed classes and three to four layoffs from different jobs.

Mr. Sean Bredwell told the chairman that he understands and conceded that the information presented against him is likely correct and not made up.

Chair Archie Walden read into the record the complaints against Mr. Bredwell, including his responses to the complaints, including one where he responded that he does not see doctors and, "This is how I am. Take it or leave it." Chair Walden read into the record that after that conversation, it was determined that Sean Bredwell should be removed from the program.

Mr. Sean Bredwell explained to the Council that he is a terrible public speaker and that how this commentary was written was not necessarily the way he meant it. Mr. Bredwell acknowledged that this sounded as though he did not care, but explained that that was not the case; it was just the way it ended up sounding.

Mr. Chad Roukey indicated to the Council that aside from Mr. Bredwell's comments, the record speaks for itself with the documentation from the JATC Board, numerous contractors, other individuals, and foremen.

Chair Archie Walden informed Mr. Bredwell that the JATC Board had followed all the rules and recommendations based on the standards as written and established by the state and federal program guidelines. Chair Walden also reminded Mr. Bredwell that he had reported he never felt that he was being treated inappropriately by the Board. Chair Walden informed Mr. Bredwell that he appreciated his coming and informed him that had he just followed the guidelines from the beginning, things would never have ended up at this point. Chair Walden also informed Mr. Bredwell that nobody wants to remove an apprentice, but there does come a point where there is not another option.

Mr. Randy Canale gave a final statement on behalf of Local 350. Mr. Canale informed the Council that the original intent was to give Mr. Bredwell an avenue to remain in the program. Mr. Canale informed Mr. Bredwell that Local 350 would have no objections if Mr. Bredwell were to reapply to the program and go through the required procedures. Mr. Canale noted that Mr. Bredwell could get credit granted if he chose to remedy the situations that were causing his removal to begin with.

Mr. Madison Burnett commented that it appeared that the program had given Mr. Bredwell every opportunity to correct his behavior but based on the information in the record, there didn't appear to be any improvement in Mr. Bredwell's behavior since 2016.

Madison Burnett made a motion to uphold the removal of Mr. Sean Bredwell from Plumbers Local 350 JATC with the ability to reapply for the program and be reinstated. Jeremy Newman seconded. All those in favor say “Aye”, Those opposed say “No.” Randy Canale abstained from the vote. The Aye have it and the motion carried.

11. STATE APPRENTICESHIP DIRECTOR’S REPORT

Richard J. Williams, State Apprenticeship Director

Mr. Richard Williams informed the Council that since the August 6, 2020 meeting, 697 apprentice verifications have been completed. Since August 6, 2020, 232 journeymen completion certificates have been issued. Mr. Williams informed the Council that as of November 13, 2020, there are 65 registered program sponsors and 6,059 currently active apprentices. Mr. Williams commended the programs for bringing in and encouraging younger apprentices into the trades and to the registered programs. Mr. Williams informed the Council that November 9 to November 13 was National Apprenticeship Week, which Nevada celebrated, and Governor Sisolak issued a proclamation for the state of Nevada which was posted on the DOL and OWINN websites. Mr. Williams thanked Chair Walden and Mr. Randy Canale for participating on the panel. Mr. Williams informed the Council that there were over 100 participants in National Apprenticeship Week and it was recorded for distribution at schools and Lifeworksnv.org. Mr. Williams informed the Council that since he took over as Director 13 months prior, there have been eight SAC meetings whereas between OWINN's creation in 2017 and October of 2019, there was a total of only seven SAC meetings. Mr. Williams discussed the updating of the 5910 form and the apprentice verification form. Mr. Williams discussed the development of the Nevada SAC emergency policy for in-person instruction, also known as the distance learning policy. Mr. Williams discussed the two newsletters released in conjunction with the labor commissioner's office regarding Senate Bill 207, the Apprenticeship Utilization Act, and informed the Council that they will continue to do those newsletters hopefully on a quarterly basis. Mr. Williams informed the Council of the new State Apprenticeship Council new member orientation training program. Mr. Williams informed the Council that from January 1, 2020, through the present, there were 2,025 new apprentice indentures.

12. U.S. DEPARTMENT OF LABOR REPORT

Douglas Howell, U.S. Department of Labor

Mr. Douglas Howell began his report by reiterating the success of National Apprenticeship Week and thanking the Nevada staff for their hard work and dedication. Next Mr. Howell informed the Council that there are 18 standard recognized entities that have been approved for the industry-recognized apprenticeship programs and more information on the SREs can be found on the apprenticeship.gov website.

13. FUTURE AGENDA ITEMS

Mike Kennedy made a motion to audit or investigate the apprenticeship graduation rate and enrollment for the Southern Nevada Tapers, Drywall Applicators, and Pile Drivers, and to inform Southern Nevada Carpenters for them to provide their input. Jeremy Newman

seconded. All those in favor say “Aye”, Those opposed say “No.” The Aye have it and the motion carried.

14. 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.)

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

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

Mr. Richard Williams stated yes and then read the email sent to Public Comments.

Mr. Harry Mowrey, Apprenticeship Coordinator DC 16 JATTF, emailed the Council to request that the issue of non-activity of the Carpenters Southern Nevada drywall finisher/taper program be added as an item to the next meeting's agenda.

Mr. Richard Williams informed the Council that comments sent via email for today's meeting will be posted on the website and that this process takes a day or two, so the public comments will not be available immediately following the meeting.

Chair Archie Walden closed the second public comment.

15. ADJOURNMENT

Chair Walden

The meeting of the State Apprenticeship Council was adjourned at **1:25 P.M.**

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, November 13, 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.