

**NEVADA STATE APPRENTICESHIP COUNCIL**

February 6, 2015

Quarterly Meeting

**LOCATIONS:**

**Las Vegas  
Carson City**

555 East Washington Avenue, #2450  
1919 College Parkway, Room 100

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**Members Present:**

Kevin Christensen      Chairman, Public Member

Thomas Pfundstein      Employer Member  
Nanette Quitt            Employer Member

Randy Canale            Employee Member  
Dan Gouker               Employee Member  
Dan Rose                  Employee Member

**Legal Counsel:**

Scott Davis               Deputy Attorney General

**Administrative Staff:**

Shannon Chambers      Labor Commissioner  
Lleta Brown               Chief Compliance Audit Investigator

**ITEM 1 – CALL TO ORDER AND ROLL CALL**

Roll call was taken to ensure a quorum.

**ITEM 2- PUBLIC COMMENT**

There was no public comment.

**ITEM 3 - APPROVAL OF THE NOVEMBER 2014 MEETING MINUTES**

There were no suggested changes.

Mr. Rose motioned to approve.

Mr. Pfundstein seconded the motion.

**M/S/C TO APPROVE THE NOVEMBER 2014 MEETING MINUTES**

**ITEM 4- ANNUAL REVIEW OF THE APPRENTICE MINIMUM WAGE FOR THE CONSTRUCTION INDUSTRY**

Ch. Christensen explained that the purpose of the regulation was to insure that apprentices were receiving a livable wage while learning the trades. The proposed increase was \$12.38 from \$12.18 per hour to \$12.38.

There were no comments from the Council.

There were no public comments.

Mr. Gouker motioned to approve.

Mr. Canale seconded the motion.

Ch. Christensen asked staff to notify all programs of the increase rate.

Ms. Brown stated that she would.

**(M/S/C TO INCREASE THE APPRENTICE CONSTRUCTION MINIMUM WAGE TO \$12.38 PER HOUR)**

**ITEM 5 – CORRESPONDENCE**

Ch. Christensen explained that staff had prepared a memo explaining that the item was placed on the agenda as requested. He noticed that the question was whether or not an apprentice could travel for work throughout the state and be paid a rate that was different than what was agreed on the program's 5910.

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Mr. Gouker stated that he and Mr. Rose had been discussing this issue. He said this had been discussed base apprentices completing their classroom training but not having enough training hours. It would not be a transfer for On the Job Training (OJT) hours only.

Mr. Rose said echoed Mr. Gouker's statement. He said with this discussion came up at a union meeting and the upcoming work for in the Northern Nevada area.

Ch. Christensen asked if the apprentice would be working in their original trade.

Mr. Rose said they would have to be working in their own trade. The host committee's apprentices would all have to be working as well. The classroom training hours would have to be completed.

Ms. Henry said this is common throughout the country. The apprentices would also get other training experiences with different locals.

Mr. Canale said this was a much needed discussion.

Ms. Quitt asked for a change to #4 to say "in good standing **as defined by** the sponsored program..." replacing the word "with".

Mr. Rose and Mr. Gouker both agreed.

Ch. Christensen asked how this would affect non union apprentices and apprentice programs.

Mr. Rose said they should have the same type of benefits to use this form.

Ms. Quitt asked what would be the timeframe for approval from the Labor Commissioner's staff.

Ms. Brown said it should follow the same as agreements approved within 10 days.

Mr. Canale asked if item 11 could be changed to "calendar year".

Mr. Rose and Mr. Gouker agreed.

Mr. Davis said that procedurally the Director conducts the business of the Council for the Council in between meetings. If the Council is inclined to answer the question the Labor Commissioner could draft a declaratory order.

Ch. Christensen said he believed the Council could take some recommendation action with a request for the order by the Labor Commissioner.

Mr. Canale asked if this matter could be expedited so that the programs did not have to wait for the next meeting on this matter.

Mr. Davis stated that NAC 610.145 allows the Director to take action on behalf of the Council.

Mr. Wade Mohr, So. Plumbers Training coordinator, asked if this was exclusively for apprentices who had completed classes and were lacking hours.

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Mr. Rose said it was for that purpose only.

Mr. Mohr said this was phenomenal, but asked for consideration for the other apprentices as well. He said the sponsoring training program could be responsible for the classroom training.

Mr. Gouker said they wanted to keep the document as simple as possible addressing the overdue apprentices.

Ms. Quitt motioned to approve the form with the changes requested. She requested the Labor Commissioner prepare a declaratory order.

Mr. Pfundstein seconded the motion.

**(M/S/C TO ACCEPT THE FORM AND REQUEST A DECLARATORY ORDER FROM THE LABOR COMMISSIONER)**

**ITEM 6 – COMPLETION CERTIFICATES**

Ms. Brown explained that this item was originally brought before the Council at the November 2014 meeting. She said the purpose of the item grant authorization for DOL Office of Apprenticeship to issue completion certificates to programs that had not added that language to the existing standards.

Mr. Gouker motioned to approve this form as presented retroactively for the November 7, 2014 meeting date.

Ms. Quitt seconded the motion.

**ITEM 7 – STATIONARY ENGINEERS LOCAL 39 JATC REVISION OF STANDARDS**

The program was not present.

Ms. Quitt motioned to table.

Mr. Gouker seconded the motion.

**(M/S/C TO TABLE STATIONARY ENGINEERS LOCAL 39 JATC REVISION OF STANDARDS)**

**ITEM 8 – CALIFORNIA NEVADA JATC – REVISION OF STANDARDS**

Armando Mendez, Executive Training Director, was present to answer questions regarding this revision. He said the standards were from 2009 but that Nevada had an older version.

Ms. Brown explained that the program had not revised their standards with NSAC since the early 90s. The standards before the Council had been approved in California but not Nevada.

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Ms. Quitt said the EEO Pledge needed to be updated to mirror the Nevada EEO pledge throughout the set of standards.

Mr. Mendez said he would update the language.

Ms. Quitt said she was concerned about the term of the program and the apprentices being about to achieve that in 3 years.

Mr. Mendez said the program is 3 and one-half years.

Ms. Quitt asked for the ratio to be explained.

Mr. Mendez said the program could be one apprentice to one journeyman.

Ms. Quitt said the standards do not outline the ratio properly. She asked for a copy of the Area Wide Training agreement.

Mr. Christensen said the Council would want to see the safety record of the program and sponsors for deviating from the standing language in the NAC.

Mr. Mendez said he would insert the language to show a one to one ratio.

Ms. Quitt asked to see that document.

Mr. Mendez was under the impression that the standards could not be changed unless they were approved by the National Dept of Labor.

Mr. Pfundstein asked for clarification of page 11 "satisfactory progress".

Mr. Mendez said the apprentice must pass a step advancement test which is written and practical testing.

Mr. Pfundstein said concerned about someone's interpretation of "satisfactory progress". He asked if this could be clarified.

Mr. Christensen said the test should be competency based. He asked for a description of the test.

Mr. Mendez said the subject matter is based on the classroom material.

Mr. Pfundstein asked how many hours of classroom training hours were there per year.

Mr. Mendez answered there were 144 hours per year.

Mr. Gouker suggested the program review the language in Nevada Power's standards.

Ms. Brown said she would send the language to Mr. Mendez.

Mr. Rose asked for clarification of the rates listed on the form 5910 and in the body of the standards.

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Mr. Mendez explained that their territory included three different IBEW locals and so the rates were different. So the rates listed were average.

Mr. Rose asked about the fringe benefits listed on the 5910 form.

Mr. Mendez explained that was subsistence pay.

Mr. Rose asked suggested that be changed.

Mr. Mendez agreed to change the 5910 form.

Mr. Rose asked that the definition on page 4 for journeyman and apprentice be corrected to included the occupation.

Mr. Mendez agreed to the change.

Ms. Quitt asked that the journey worker number be included on the top of the 5910 form.

Mr. Mendez will correct.

Mr. Canale was concerned with the langue on Page 11 “of which 1000 hours must be accumulated since the last step advance”. He asked if the program was willing the strike that language.

Mr. Mendez said they could not agree to that change without his committee’s consent. He said the apprentices would need to comply and meet the 1000 hours and classroom training.

Mr. Rose asked if there have been problems with the apprentices receiving steps advances based on this language since this is an existing program.

Mr. Gouker said he did not have a problem with the existing language.

Mr. Mendez said that language was added because of apprentices attempting to graduate early along with safety concerns.

Ms. Quitt asked if since the program was 3.5 years if there were extra curriculum hours that needed to be added

Mr. Mendez said there were 16 hours. He agreed to correct the 5910 form to show 448 hours.

Ms. Quitt suggested that on page 25 that the language for apprentice evaluation be changed to reflect the program’s actual practice.

Mr. Mendez agreed to the correction.

Ms. Quitt suggested that on page 26 D3 that the Nevada State Apprenticeship Council be added to the language for appeal rights.

Mr. Mendez agreed to the correction.

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Ms. Quitt suggestion on page 27 Section XXII A she asked if the program would change “Three Year course” to Three and one half year”.

Mr. Mendez agreed.

Ms. Quitt cautioned the program about adding extra documents to the standards such as a few of the Appendixes. She explained that adding documents that would require approval by NSAC prior to submitting them.

Mr. Mendez said he would remove unnecessary appendixes.

Mr. Gouker motioned to approve with all the changes suggested.

Mr. Rose seconded the motion.

**(M/S/C TO APPROVE CALIFORNIA NEVADA JATC – REVISION OF STANDARDS WITH CHANGES)**

**ITEM 9 - DISCUSSION ON POSSIBLE REVISIONS TO NRS AND NAC 610 DISCUSSION AND POSSIBLE ACTION REGARDING REVISIONS TO NRS 610 AND NAC 610 TO BRING THE PROVISIONS INTO CONFORMITY WITH FEDERAL REGULATIONS AND ALLOW THE COUNCIL TO CONTINUE TO BE RECOGNIZED AS THE REGISTRATION AGENCY FOR FEDERAL PURPOSES IN THE STATE OF NEVADA**

Ms. Brown introduced the Ms. Chambers as the Labor Commissioner. She explained that the purpose of this item was to allow Ms. Chambers the opportunity to hear the Council's sentiments related to the current state of approval from the Dept. of DOL.

Ms. Chambers said she had received a telephone call from John Ladd who expressed interest in having a telephone meeting with her to discuss Nevada's recognition. There has been no written communication received.

Ch. Christensen said there had been proposed statutes changes before the legislature that still did not meeting DOL'S approval. The Council had extended an invitation to DOL so that they could explain many instances where Nevada had set up a higher standard than was required. There had been no response. He said the Council would still like to meet with them if possible. He said he position was always that he wanted the Council as the regulatory body rather than an advisory only.

Ms. Chambers said she would extend the offer.

Mr. Gouker offered to work with Ms. Chambers and provide the original responses that were drafted after the workshop pertaining to this matter.

**ITEM 10 - REPORT OF STAFF A) QUATERLY STATISTIC**

Ms. Brown reported there were 91 total programs approved and 2931 registered apprentice. 4% were female, 9% were veterans and 53% were minorities.

**REPORT OF STAFF B) SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION**

Ms. Brown reported that there were no recommendations from the subcommittee. There was a request for the Council to follow-up on the recognition process from DOL.

Ms. Chambers said she had provided an update to the Chairman Ms. Bustamante Adams.

**REPORT OF FEDERAL OFFICE OF APPRENTICESHIP**

Ms. Henry reported that there was one new apprentice able occupation approved for industrial maintenance technician. The UA Plumbers have been granted another form of direct entry. There is a new URL for the Dept of Labor. It is [dol.gov/apprenticeship](http://dol.gov/apprenticeship). They are encouraging the employer sponsors to sign up as leaders. There were no sign ups so far for Nevada. There is a Registered Apprenticeship College Consortium but there were no employers from Nevada signed up. She said they would need a letter from the Labor Commissioner regarding completion certificates.

Ms. Chambers said she would provide the letter.

**REPORT OF DEPUTY ATTORNEY GENERAL**

Mr. Davis reported there was no litigation pending.

**REPORT OF SECRETARY DIRECTOR**

Ms. Chambers did not have any additional reports.

**PUBLIC COMMENT**

Mr. Gouker reported Nevada System of High Education has applied for the federal funds available for apprenticeship. The role of CSN would be advisory. He will keep the Council up to date on any new information.

**ADJOURNMENT**

Mr. Gouker motioned to adjourn.

Ms. Quitt seconded the motion.

**(MUSIC TO ADJOURN)**