

# STATE APPRENTICESHIP COUNCIL

## (*NEVADA REVISED STATUTES [NRS]* [610.030](#))

### [CHAPTER 610](#) (“APPRENTICESHIPS”) OF NRS

#### Background

- 1939—[Assembly Bill 245](#) (Chapter 192, *Statutes of Nevada*) created an Apprenticeship Council to work with local or state joint apprenticeship committees to set up conditions and training standards for apprentice agreements; approve and keep a record of the disposition of apprentice agreements; and administer other provisions of the program as required. The eight-member council was appointed by the state commissioner of labor, who served as the state director of apprenticeship; the secretary of the council; and a nonvoting ex officio member. The seven voting members of the Council consisted of three representatives each from employer and employee organizations, respectively, and one member of the general public. The member of the general public had to be unanimously approved by the six members representing employer and employee organizations and served as chair. The final member, serving ex officio as a nonvoting member, was the state official designated by the State Board for Vocational Education as being in charge of trade and industrial education. The bill set terms of office for Council members, defined the term “apprentice,” and set forth minimum state requirements for apprenticeship agreements.

The bill also provided for the creation of local or state joint apprenticeship committees in any trade or group of trades in an area by the Apprenticeship Council whenever training needs justified. The bill authorized the state and local boards responsible for vocational education to administer the program, including the instruction and supervision of apprentices, in coordination with any joint apprenticeship committee. Finally, the Apprenticeship Council could investigate and adjudicate complaints. Disputed decisions could be appealed to the state commissioner of labor.

- 1985—[Assembly Bill 131](#) (Chapter 272, *Statutes of Nevada*) updated language to reflect a name change from the State Board for Vocational Education to the State Board for Occupational Education.
- 1987—[Assembly Bill 448](#) (Chapter 197, *Statutes of Nevada*) required that all apprenticeship programs commit to the principles of affirmative action, nondiscrimination, and equal opportunity described in [Title 29 C.F.R. Part 30](#). The bill allowed the Council to promulgate regulations and, after providing notice and a hearing and for good cause shown, deny an application for approval of a program and suspend, terminate, or cancel any approved program. Further, the Council could place conditions upon any approved program, or place an approved program on probation for any violation of the provisions of this title as specified in the adopted regulations. The bill required the Council members to have knowledge concerning occupations in which a person may be apprenticed, and mandated the State Apprenticeship Council to approve all programs and standards for apprenticeship. Further, it limited the voting power of the member appointed from the general public to those instances where there was a tie between the other six voting members of the Council.
- 2005—[Assembly Bill 388](#) (Chapter 309, *Statutes of Nevada*) embedded the State Board for Occupational Education within the Department of Education, and changed the Board’s name to the State Board for Career and Technical Education.
- 2017—[Senate Bill 516](#) (Chapter 595, *Statutes of Nevada*) created the Office of Workforce Innovation (OWINN) within the Office of the Governor. In order to continue to receive federal recognition pursuant to [Title 29 C.F.R. Part 29](#), OWINN assumed responsibility as the registration

agency for apprenticeships in Nevada, with the State Apprenticeship Council retaining regulatory oversight.

The position of ex officio state apprenticeship director moved from being the labor commissioner to a governor's appointee who met specific experience requirements and reported to OWINN's executive director. The bill restructured the State Apprenticeship Council to be comprised of 13 members with 9 voting members appointed by the governor, respectively, and 4 nonvoting members as follows:

- Four governor-appointed representatives from both employer and employee organizations respectively, having knowledge concerning occupations in which a person may be apprenticed;
- One member of the general public appointed by the governor;
- The executive director of the Office of Economic Development or his or her designee;
- The superintendent of public instruction or his or her designee; and
- Two representatives of community colleges appointed by the chancellor of the Nevada System of Higher Education—one located in a county with a population over 700,000 and one from a county with a population under 700,000.

The bill set forth the Council's duties, its meeting schedule, and rates of compensation. The duties of the Council included providing regulatory oversight for Nevada's apprenticeship program, extending reciprocity to multistate joint apprenticeship programs, and demonstrating linkages and coordination with the state's economic development strategies and workforce investment system. The bill specified that the state apprenticeship director was responsible for program administration including record keeping, promotion, outreach, producing budgets and reports, and assisting the Council in identifying linkages and coordination between the apprenticeship program and other state programs. This bill eliminated the ability for complainants to appeal determinations or decisions of the State Apprenticeship Council to the labor commissioner.

- 2019—[Assembly Bill 68](#) (Chapter 377, *Statutes of Nevada*) added genetic information and age (40 years or older) to the list of categories for which discrimination is prohibited under an apprenticeship agreement. The bill also changed the structure of the State Apprenticeship Council, reducing the number of voting positions from nine to seven as follows:
  - Two members who represent management and have, or have had, a defined role in a jointly administered apprenticeship program, one from northern Nevada and one from southern Nevada;
  - Two members who represent labor and have, or have had, a defined role in a jointly administered apprenticeship program, one from northern Nevada and one from southern Nevada;
  - Two members, one who represents management and one who represents labor, who have, or have had, a defined role or job in a statewide, jointly administered apprenticeship program; and
  - One member who represents the general public.

Members are appointed to the Council by the governor on the recommendation of the executive director of OWINN, who is also responsible for appointing members to chair and vice chair positions. This bill specified that the chair, or vice chair in the absence of the chair, would not be entitled to a vote, except when the seventh vote is required to break a tie.

## **Reviewed by the Sunset Subcommittee of the Legislative Commission**

The Sunset Subcommittee reviewed the State Apprenticeship Council on [May 6, 2014](#), and subsequently voted, on [June 4, 2014](#), to recommend continuation of the Council without any revisions. However, the Sunset Subcommittee requested that the Council work with the labor commissioner to pursue federal recognition for Nevada's apprenticeship program with the United States secretary of labor and report to the Subcommittee on these efforts prior to the 2015 Legislative Session.

KS/ma:G200937.11E