

Overview of Nevada State Apprenticeship Council Nevada Revised Statutes (NRS) 610 and Nevada Administrative Code (NAC) 610

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Major Responsibilities

- State Apprenticeship Council (Nevada Revised Statutes (NRS) section 610 and Nevada Administrative Code (NAC) section 610)
- Public Works Projects
Prevailing Wages On Public Works Projects
Apprenticeship Utilization on Public Works Projects
(NRS section 338 and NAC section 338)
- Private Sector Employment, Task Force on Employee Misclassification, Employment of Minors, Employment Practices, and Labor Disputes (NRS and NAC sections 607, 608, 609, 613, and 614)
- Regulate Private Employment Agencies and Professional Employer Organizations (NRS section 611 and 616B and NAC section 610)

Assembly Bill 459 – Moves the Nevada State Apprenticeship Council back to the Office of the Labor Commissioner

Assembly Bill (AB) 459, effective July 1, 2021, and passed during the 81st Regular Session of the Nevada Legislature (2021), amends certain provisions of Nevada Revised Statutes (NRS) section 610 and transfers the responsibility and accountability for the Nevada State Apprenticeship Council (NSAC), State Apprenticeship Director, and registered apprenticeship programs in the State of Nevada to the Office of the Labor Commissioner (OLC). Section 10.5 of AB 459 states: 1. The Office of the Labor Commissioner shall act as the State Apprenticeship Agency (SAA) as defined in 29 C.F.R. § 29.2 and has responsibility and accountability for apprenticeship in this State.

The Labor Commissioner shall oversee the State Apprenticeship Council and the State Apprenticeship Director pursuant to NRS 610.110 to 610.185, inclusive, and perform such other functions as may be deemed necessary to carry out the intent and purposes of chapter 610 of NRS.

STATE APPRENTICESHIP DIRECTOR

The Labor Commissioner appoints the State Apprenticeship Director (NRS 610.110)

The duties of the State Apprenticeship Director include but are not limited to the following (NRS 610.120):

Under the direction of the Labor Commissioner, the State Apprenticeship Director shall:

- Administer the provisions of this chapter with the advice and guidance of the State Apprenticeship Council.
- Keep a record of agreements and their dispositions.
- Issue certificates of completion of apprenticeship at the request of the local joint apprenticeship committee.
- Promote apprenticeship programs through public engagement activities and other initiatives.
- Ensure information and resources related to applications for new apprenticeship programs are made available to the public, including, without limitation, information related to technical assistance and requirements for applicants of new apprenticeship programs.

NEVADA STATE APPRENTICESHIP COUNCIL (NSAC)

Section. 11.3 of Assembly Bill 459.

NRS 610.030 is hereby amended to read as follows: There is hereby created the State Apprenticeship Council composed of:

- The following voting members, appointed by the Governor upon recommendation of the Labor Commissioner:
- Two members who represent management and have, or have had, a defined role in a jointly administered apprenticeship program, one of whom must be from northern Nevada and one of whom must be from southern Nevada.
- Two members who represent labor and have, or have had, a defined role in a jointly administered apprenticeship program, one of whom must be from northern Nevada and one of whom must be 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.
- One member who is a representative of the general public.
- The following nonvoting members:
- The Executive Director of the Office of Economic Development or his or her designee.
- The Superintendent of Public Instruction or his or her designee.
- One representative of a community college located in a county whose population is 700,000 or more, appointed by the Chancellor of the Nevada System of Higher Education.
- One representative of a community college located in a county whose population is less than 700,000, appointed by the Chancellor of the Nevada System of Higher Education.

DUTIES AND GENERAL POWERS OF THE NEVADA STATE APPRENTICESHIP COUNCIL (Council/NSAC)

NRS 610.090 – Duties – The Council shall:

- Establish standards for programs and agreements that are not lower than those prescribed by this chapter.
- Upon review and approval, extend written reciprocal recognition to multistate joint programs.
- Adopt such regulations as may be necessary to carry out the intent and purposes of this chapter.
- Administer the provisions of this chapter as a regulatory body.
- Consistent with its duties and obligations under this chapter, demonstrate linkages and coordination with the State's economic development strategies and workforce investment system that is paid for wholly or in part out of public money, as set forth in 29 C.F.R. § 29.13.
- Adopt regulations pursuant to 29 C.F.R. Parts 29 and 30.
- Perform such other functions as may be necessary for the fulfillment of the intent and purposes of this chapter.

DUTIES AND GENERAL POWERS OF THE NEVADA STATE APPRENTICESHIP COUNCIL (Council/NSAC) continued:

NAC 610.110 – General Powers – The Council shall:

- Advise and guide the Director and state or local joint committees in the formation of conditions and training standards for agreements for apprenticeship and assist the Director in carrying out the intent and purpose of chapter 610 of NRS.
- Terminate or cancel agreements for apprenticeship upon the recommendation of the Director or upon its own motion.
- Provide for the greatest possible diversity of training and continuity of employment for apprentices.
- Assist in the adjustment of differences and disputes between apprentices and employers.
- Cooperate with all public and private agencies interested in the promotion and development of sound standards for apprenticeship in Nevada, including trade associations, employee organizations, state and local boards for vocational education, the State Employment Service and the Federal Committee on Apprenticeship.

The apprenticeship system consists of two types of entities responsible for registering and overseeing Registered Apprenticeship Programs (RAPs). These entities include the U.S. Department of Labor's (DOL) Office of Apprenticeship (OA) and recognized State Apprenticeship Agencies (SAA). While both entities function similarly, there are some key differences that may apply:

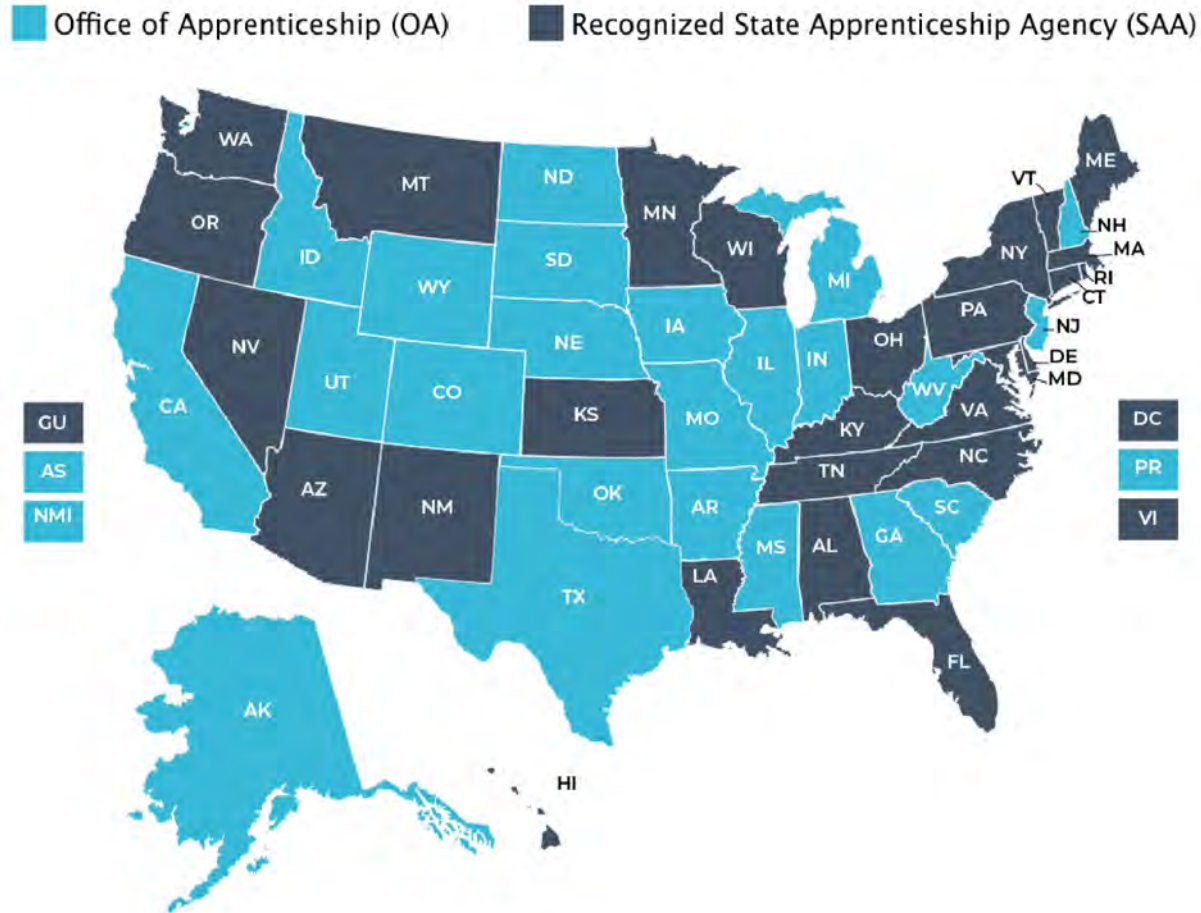
The Office of Apprenticeship

- Registers and oversees programs in states without a recognized SAA through state field offices. In some circumstances, OA may register a program in a state with an SAA.
- Staff members are U.S. Department of Labor federal employees.
- Registers all programs through standard documentation; and
- Utilizes the Registered Apprenticeship Partners Information Data System (RAPIDS) system for registration, oversight, and tracking of apprentice progress and apprenticeship compliance.

State Apprenticeship Agencies

- Recognized by OA to act on behalf of the federal U.S. DOL, to register and oversee programs in their recognized state.
- Staff members are state employees.
- May utilize the standard federal paperwork and documentation, or may use documentation specific to that state; and
- May utilize the same RAPIDS system as OA or may use a separate system unique to that state.

(Source <https://www.dol.gov/agencies/eta/apprenticeship>)



GENERAL INFORMATION ABOUT APPRENTICESHIP - <https://labor.nv.gov/>

- Completion of an apprenticeship program is from 1 to 5 years.
- Eligible to persons 16 years of age or over with a high school diploma or equivalent or can earn within one year, completion of school to work program and/or welfare to work program.
- Individual apprenticeship committees accept applications for their own programs. They advertise that they are accepting applications through local newspapers, local schools, community-based organizations and the Labor Commissioner's Office bulletin board.
- The waiting period, from the date an application is filed to placement into an apprentice program, varies from industry to industry. The apprenticeship committee reviews applications to make sure the applicants meet the minimum qualifications for the program. If an applicant is qualified, the application is ranked by test scores, an interview, an evaluation of past experience and education or a random drawing. The applicant is placed on a list of eligible applicants. The program uses this list to fill vacancies, as they become available. Some committees allow direct entry into the program.
- Apprentices must attend related classroom training instruction along with on-the-job training experience. A minimum of 144 hours of related instruction is the typical minimum for a program, but most exceed the 144 hours.
- The term of the apprenticeship program is based on what type of program it is. (1) If the program uses a time-based approach, requires the completion of not less than 2,000 hours of work experience, on-the-job learning, consistent with training requirements as established by practice in the trade; (2) If the program uses a competency-based approach, specifies the skills that must be demonstrated by an apprentice and addresses how on-the-job learning will be integrated into the program; or (3) If the program uses a hybrid approach, specifies the skills that must be acquired and the minimum number of hours of on-the-job learning that must be completed by an apprentice.
- There are some programs that are linked with the community colleges for related training instruction. In those classes, the apprentice could receive college credit and work towards a degree.
- The program sponsor is required to pay for the cost of training. The apprentice may be required to furnish his or her own books and tools.
- The average starting wage of an apprentice is about 40% of a journey worker's rate of pay. Programs are required to progressively increase the apprentice's wages.

SENATE BILL 247

Senate Bill 247 passed during the 81st Regular Session of the Nevada Legislature (2021), and effective October 1, 2021, provides the authority for the Nevada State Apprenticeship Council (Council/NSAC) to approve competency and hybrid apprenticeship programs and establish a minimum apprentice wage. Specifically, Section 2 of Senate Bill 247 amended Nevada Revised Statutes (NRS) section 610.144 and added language that provides as follows:

“A progressively increasing, reasonable and profitable schedule of wages to be paid to the apprentice consistent with the skills acquired, not less than that allowed by federal or state law or regulations, by a collective bargaining agreement or by the minimum apprentice wage established by the Council.”

- **\$14.50/HOUR CURRENT MINIMUM WAGE FOR NON-CONSTRUCTION APPRENTICESHIP PROGRAMS - EFFECTIVE JANUARY 1, 2022.**
- This was set at the November 2021 State Apprenticeship Council Meeting.
- **\$14.63/HOUR CURRENT MINIMUM WAGE FOR CONSTRUCTION APPRENTICESHIP PROGRAMS.**
- **EFFECTIVE AUGUST 1, 2022, WILL GO UP TO \$15.42/HOUR.**

(NAC section 610.485 and 610.490) This was set at the February 2022 State Apprenticeship Council Meeting.

Actions taken since the Nevada State Apprenticeship Council moved to the Labor Commissioner in July 2021:

- 4 Nevada State Apprenticeship Council meetings held.
- Established a \$14.50/Hour Minimum Wage for Non-Construction Registered Apprenticeship Programs.
- 2 New Registered Apprenticeship Programs approved.
- 32 Registered Apprenticeship Programs canceled/suspended.
- Working with various organizations and employers to expand and develop new Registered Apprenticeship Programs—including, in the trucking industry.
- Compliance and review of existing Registered Apprenticeship Programs.
- Updates/Revisions to NAC 610 regulations submitted to Legislative Counsel Bureau (LCB).

Current Nevada Registered Apprenticeship Program Statistics

- 5,821 Active Apprentices
- 72 Registered Apprenticeship Programs
- 745 Active Employers
- 74 Separate Occupations— for example, occupations in construction, healthcare, and information technology.

Questions & Thank you.

For complete NRS/NAC 610 laws and regulations and contact information visit:

<https://labor.nv.gov/>

You can also send general questions about apprenticeship to:

NevadaSAC@labor.nv.gov

Phone: 775-684-1890/Carson City or 702-486-2650/Las Vegas