

Chapter 610 of NAC

LCB File No. T023-05

**ADOPTED TEMPORARY REGULATION OF THE
STATE APPRENTICESHIP COUNCIL**

Filed with the Secretary of State on March 25, 2005

EXPLANATION- Matter that is *italicized* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-2, NRS 610.090; §2, NAC 610.110, 610.490

Section 1. Chapter 610 of NAC is hereby amended by adding thereto the provisions set forth as section 2 of this regulation.

Section 2. NAC 610.485 is hereby amended to read as follows:

NAC 610.485 Minimum reasonable and profitable wage for apprentice in construction industry. (NRS 610.090) The minimum reasonable and profitable wage for an apprentice in the construction industry is:

1. On a public work as defined in NRS 338.010, not less than the percentage set forth in the standards approved by the council of the prevailing wage for a journeyman established by the labor commissioner.
2. On a federal public works project, not less than the percentage set forth in the standards approved by the council of the prevailing wage for a journeyman established by the United States Department of Labor.
3. On a project which is paid for with federal and state money, the higher of the percentages set forth in subsections 1 and 2.
4. On a project other than a public work, not less than \$~~9.46~~ **9.77** per hour. The wages must be in cash and must not include any benefits.

NOTICE OF ADOPTION OF TEMPORARY REGULATION

The Office of the Labor Commissioner adopted temporary regulations that pertain to chapter 610 of the Nevada Administrative Code on March 10, 2005. A copy of the regulations as adopted is attached hereto.

INFORMATIONAL STATEMENT

- (a) A description of how public comment was solicited, a summary of the public response, and an explanation how other interested persons may obtain a copy of the summary:
Public comment on the proposed rule was solicited on the agency website, posted notices including copies to the main library in each county and direct mail to persons on the agency 233B mailing list. Copies are available through the agency website or upon request from the agency.
- (b) The number of persons who:
 - (1) Attended each hearing:
Seventeen people were in attendance at the hearing that was held in conjunction with the Apprenticeship Council's regularly scheduled meeting.
 - (2) Testified at each hearing:
No one testified at the hearing.
 - (3) Submitted to the agency written statements:
No written comments were received.
- (c) A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary:
Comments were solicited through published and posted notices and by direct mail to organizations and individuals on the agency mailing list.
- (d) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:
The regulation was adopted as proposed.
- (e) The estimated economic effect of the regulation on the business which it is to regulate and on the public.

Impact on businesses that are regulated:

- (1) Both adverse and beneficial effects:
 - a. **Adverse Effects:** There is a potential for a slight increase in the labor cost of construction projects where apprentice labor is used.
 - b. **Beneficial Effects:** Provides for a slight pay increase for apprentices, the lowest paid class of workers in the construction industry.

- (2) Both immediate and long-term effects:
Immediate effects: Same as a and b, above.
Long Term effects: Same as a and b, above.

Impact on the public:

- (1) Both adverse and beneficial effects:
a. **Adverse Effects:** There is a potential for a slight increase in the labor cost of construction projects where apprentice labor is used.
b. **Beneficial Effects:** Provides for a slight pay increase for apprentices, the lowest paid class of workers in the construction industry.
- (2) Both immediate and long-term effects:
Immediate effects: Same as a and b, above.
Long Term effects: Same as a and b, above.
- (f) The estimated cost to the agency for enforcement of the proposed regulation:
There is no anticipated cost to the agency for enforcement.
- (g) A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:
The regulation does not overlap the regulations of any other state or federal agency.
- (h) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:
Not applicable.
- (i) If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:
No new fees are involved.