

HOUSE BILL REPORT

ESB 6630

As Passed House - Amended:

March 8, 2002

Title: An act relating to certification of electricians.

Brief Description: Providing for certification as a master electrician.

Sponsors: By Senators Prentice, Honeyford, Rasmussen and Sheahan.

Brief History:

Committee Activity:

Commerce & Labor: 2/25/02, 2/28/02 [DPA].

Floor Activity:

Passed House - Amended: 3/8/02, 95-1.

Brief Summary of Engrossed Bill
(As Amended by House)

- Establishes new certifications for master electricians.
- Allows electrical contractors to designate master electricians as their administrators.
- Modifies work experience requirements and technical or trade school program allowances applicable to specialty electricians.
- Modifies ratio requirements and job site supervision requirements applicable to noncertified persons.
- Modifies the definition of "equipment" to exclude all plug-in appliances and certain plug-in equipment to be determined by the Department of Labor and Industries.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass as amended. Signed by 5 members: Representatives Conway, Chair; Wood, Vice Chair; Kenney, Lysen and McMorris.

Minority Report: Do not pass. Signed by 2 members: Representatives Clements, Ranking Minority Member; and Chandler.

Staff: Jill Reinmuth (786-7134).

Background:

The Department of Labor and Industries administers electrical contracting and certification laws. The department licenses electrical contractors; certifies electrical administrators, journeyman electricians, and specialty electricians; and issues training certificates to noncertified persons.

Electrical Contractors: The licensing requirements for electrical contractors include a requirement that an electrical administrator be designated as the contractor's administrator.

Electrical Administrators: An administrator may renew his or her certificate without examination.

Specialty Electricians: To take a specialty electrician exam, a person must have worked in that specialty for two years, or successfully completed a state-approved apprenticeship program in that specialty. Years of a technical or trade school program may not be substituted for years of work experience.

Noncertified Persons: An appropriate certified person must supervise a noncertified person. The certified person must be on the same job site as the noncertified person at least 75 percent of each working day. A journeyman electrician may supervise one noncertified person, or up to four noncertified persons enrolled in a technical or trade school program. A specialty electrician may supervise up to two noncertified persons.

Definitions: The definition of "equipment" includes equipment that uses, conducts, or is operated by electricity, but excludes plug-in household appliances.

Summary of Amended Bill:

Various provisions applicable to electrical contractors, certified persons (including electrical administrators, master electricians, journeyman electricians, and specialty electricians), and noncertified persons are modified.

Electrical Contractors: An electrical contractor may designate either a master electrician or an electrical administrator (instead of only an administrator) to be the contractor's administrator.

Electrical Administrators: An administrator may renew his or her certificate without examination only if the administrator completes an annual eight-hour continuing education course.

Master Electricians: New certifications for master journeyman electricians and master specialty electricians are created.

Qualifications to take examinations to be certified are established. To take the master journeyman electrician exam, a person must have had a journeyman electrician certificate for four years. To take the master specialty electrician exam, a person must have had a specialty electrician certificate for two years. Like the electrical administrator exam, the master electrician exams must include questions about safety, the state electrical code, and electrical theory. Qualifications to apply to be certified without examination are also established.

Specialty Electricians: Work experience requirements for specialty electrician exams are modified as follows. For certain specialties, applicable provisions are not changed, except that work experience requirements are expressed in hours instead of years. (These specialties are: residential; pump and irrigation; sign; limited energy; nonresidential maintenance; restricted nonresidential maintenance; and other new nonresidential.) For appliance repair and other specialties, work experience requirements may be reduced to a minimum of 2,000 hours.

A provision allowing years of a technical or trade school program to be substituted for years of work experience is added. A person who, after January 1, 2000, has successfully completed a two-year program in the electrical construction trade may substitute up to one year of the program for one year of work experience.

The department must use specified criteria to determine whether hours in a technical or trade school program may be substituted for hours of work experience. For example, a two-year technical or trade school program must consist of 3,000 or more hours, of which at least 2,400 hours must be related to a particular specialty.

Noncertified Persons: The ratio requirements and the job site supervision requirements for noncertified persons working as specialty electricians are modified as follows.

For a noncertified person working as any type of specialty electrician, a certified electrician may supervise up to two noncertified persons or four noncertified persons enrolled in a technical or trade school program (instead of only two noncertified persons).

For a noncertified person working as a certain type of specialty electrician, the ratio determines the jobsite requirement. (These specialties are: residential; pump and irrigation; sign; limited energy; nonresidential maintenance; nonresidential maintenance, restricted nonresidential maintenance; and other new nonresidential.) If the ratio is 1:1 or 1:2, the jobsite requirement is not changed. If the ratio is 1:3 or 1:4, however, a certified electrician must directly supervise and instruct the noncertified persons, and be on the same job site 100 percent of each working day. The certified electrician may not make or engage in electrical installation.

For a noncertified person working as an appliance repair specialty electrician or another type of specialty electrician, the jobsite requirements are changed. During an initial 90-day period, a certified electrician must supervise the noncertified persons 100 percent of each working day. (The department, by rule, may make the initial period longer.) After the initial period, if the noncertified person takes and passes the specialty examination, he or she may work without supervision.

Definitions: Definitions of "master electrician," "master journeyman electrician," and "master specialty electrician" are added. The definition of "equipment" is modified to exclude all plug-in appliances (instead of excluding only plug-in household appliances). It also excludes plug-in equipment as determined by the department by rule.

Appropriation: None.

Fiscal Note: A fiscal note for SB 6630 is available. A fiscal note for ESB 6630 has been requested.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is the result of negotiations involving broad industry representation. The stakeholders have all made major compromises. There are a few loopholes that should be closed, and some issues that are yet to be resolved. It is a work in progress. The bill offers a realistic opportunity to comply with state law. It puts reality into the rules. There are concerns about how training time is substituted for work experience, and how that compares to apprenticeship.

Testimony Against: The engrossed bill is better than the original bill. There are concerns about safety and fair competition. Electrical contractors have a 1:1 ratio, but trade schools that compete with electrical contractors may have a 1:4 ratio. There are also technical issues.

Testified: (In support) Ron Fuller and Patrick Woods, Department of Labor and Industries; Eric Mewhinney, Washington Apartment Association and Building Owners and Managers Association; Doug Neyhart, Rental Housing Association of Puget Sound; Melissa Johnson, Washington Hotel and Lodging Association; Dedi Hitchens, Washington Retail Association and the Association of Washington Business Electrician Task Force; and Mark Johnson, National Federation of Independent Business.

(In support with concerns) Richard King and Mike Hendrics, International Brotherhood of Electrical Workers.

(Opposed) Larry Stevens, National Electrical Contractors Association.

