
SUBSTITUTE HOUSE BILL 1428

State of Washington 58th Legislature 2003 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Conway, Cooper and Kenney)

READ FIRST TIME 02/27/03.

1 AN ACT Relating to electrical trainees; and amending RCW 19.28.161
2 and 19.28.271.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.28.161 and 2002 c 249 s 4 are each amended to read
5 as follows:

6 (1) No person may engage in the electrical construction trade
7 without having a valid master journeyman electrician certificate of
8 competency, journeyman electrician certificate of competency, master
9 specialty electrician certificate of competency, or specialty
10 electrician certificate of competency issued by the department in
11 accordance with this chapter. Electrician certificate of competency
12 specialties include, but are not limited to: Residential, pump and
13 irrigation, limited energy system, signs, nonresidential maintenance,
14 restricted nonresidential maintenance, and appliance repair.

15 (2) A person who is indentured in an apprenticeship program
16 approved under chapter 49.04 RCW for the electrical construction trade
17 or who is learning the electrical construction trade may work in the
18 electrical construction trade if supervised by a certified master
19 journeyman electrician, journeyman electrician, master specialty

1 electrician in that electrician's specialty, or specialty electrician
2 in that electrician's specialty. All apprentices and individuals
3 learning the electrical construction trade shall obtain an electrical
4 training certificate from the department. The certificate shall
5 authorize the holder to learn the electrical construction trade while
6 under the direct supervision of a master journeyman electrician,
7 journeyman electrician, master specialty electrician working in that
8 electrician's specialty, or specialty electrician working in that
9 electrician's specialty. The holder of the electrical training
10 certificate shall renew the certificate biennially. At the time of
11 renewal, the holder shall provide the department with an accurate list
12 of the holder's employers in the electrical construction industry for
13 the previous biennial period and the number of hours worked for each
14 employer. A biennial fee shall be charged for the issuance or renewal
15 of the certificate. The department shall set the fee by rule. The fee
16 shall cover but not exceed the cost of administering and enforcing the
17 trainee certification and supervision requirements of this chapter.
18 Apprentices and individuals learning the electrical construction trade
19 shall have their electrical training certificates in their possession
20 at all times that they are performing electrical work. They shall show
21 their certificates to an authorized representative of the department at
22 the representative's request.

23 (3) Any person who has been issued an electrical training
24 certificate under this chapter may work if that person is under
25 supervision. Supervision shall consist of a person being on the same
26 job site and under the control of either a certified master journeyman
27 electrician, journeyman electrician, master specialty electrician
28 working in that electrician's specialty, or specialty electrician
29 working in that electrician's specialty.

30 For individuals employed by a general electrical contractor
31 performing nonresidential installations, either a master journeyman
32 electrician or journeyman electrician shall be on the same job site as
33 the noncertified individual for a minimum of one hundred percent of
34 each working day for the first four thousand hours and seventy-five
35 percent of each working day for all hours thereafter.

36 For other individuals, either a certified master journeyman
37 electrician, journeyman electrician, master specialty electrician
38 working in that electrician's specialty, or specialty electrician

1 working in that electrician's specialty shall be on the same job site
2 as the noncertified individual for a minimum of seventy-five percent of
3 each working day unless otherwise provided in this chapter.

4 (4) The ratio of noncertified individuals to certified master
5 journeymen electricians, journeymen electricians, master specialty
6 electricians, or specialty electricians on any one job site is as
7 follows:

8 (a) When working as a specialty electrician, not more than two
9 noncertified individuals for every certified master specialty
10 electrician working in that electrician's specialty, specialty
11 electrician working in that electrician's specialty, master journeyman
12 electrician, or journeyman electrician, except that the ratio
13 requirements are one certified master specialty electrician working in
14 that electrician's specialty, specialty electrician working in that
15 electrician's specialty, master journeyman electrician, or journeyman
16 electrician working as a specialty electrician to no more than four
17 students enrolled in and working as part of an electrical construction
18 program at public community or technical colleges, or not-for-profit
19 nationally accredited trade or technical schools licensed by the work
20 force training and education coordinating board under chapter 28C.10
21 RCW. In meeting the ratio requirements for students enrolled in an
22 electrical construction program at a trade school, a trade school may
23 receive input and advice from the electrical board; and

24 (b) When working as a journeyman electrician, not more than one
25 noncertified individual for every certified master journeyman
26 electrician or journeyman electrician, except that the ratio
27 requirements shall be one certified master journeyman electrician or
28 journeyman electrician to no more than four students enrolled in and
29 working as part of an electrical construction program at public
30 community or technical colleges, or not-for-profit nationally
31 accredited trade or technical schools licensed by the work force
32 training and education coordinating board under chapter 28C.10 RCW. In
33 meeting the ratio requirements for students enrolled in an electrical
34 construction program at a trade school, a trade school may receive
35 input and advice from the electrical board.

36 An individual who has a current training certificate and who has
37 successfully completed or is currently enrolled in an approved
38 apprenticeship program or in an electrical construction program at

1 public community or technical colleges, or not-for-profit nationally
2 accredited technical or trade schools licensed by the work force
3 training and education coordinating board under chapter 28C.10 RCW, may
4 work without direct on-site supervision during the last six months of
5 meeting the practical experience requirements of this chapter.

6 (5) For the residential (as specified in WAC 296-46A-930(2)(a)),
7 pump and irrigation (as specified in WAC 296-46A-930(2)(b)(i)), sign
8 (as specified in WAC 296-46A-930(2)(c)), limited energy (as specified
9 in WAC 296-46A-930(2)(e)(i)), nonresidential maintenance (as specified
10 in WAC 296-46A-930(2)(f)(i)), restricted nonresidential maintenance as
11 determined by the department in rule, or other new nonresidential
12 specialties, not including appliance repair, as determined by the
13 department in rule, either a master journeyman electrician, journeyman
14 electrician, master specialty electrician working in that electrician's
15 specialty, or specialty electrician working in that electrician's
16 specialty must be on the same job site as the noncertified individual
17 for a minimum of seventy-five percent of each working day. Other
18 specialties must meet the requirements specified in RCW
19 19.28.191(1)(f)(ii). When the ratio of certified electricians to
20 noncertified individuals on a job site is one certified electrician to
21 three or four noncertified individuals, the certified electrician must:

22 (a) Directly supervise and instruct the noncertified individuals
23 and the certified electrician may not directly make or engage in an
24 electrical installation; and

25 (b) Be on the same job site as the noncertified individual for a
26 minimum of one hundred percent of each working day.

27 (6) The electrical contractor shall accurately verify and attest to
28 the electrical trainee hours worked by electrical trainees on behalf of
29 the electrical contractor.

30 **Sec. 2.** RCW 19.28.271 and 2001 c 211 s 20 are each amended to read
31 as follows:

32 (1) It is unlawful for any person, firm, partnership, corporation,
33 or other entity to employ an individual for purposes of RCW 19.28.161
34 through 19.28.271 who has not been issued a certificate of competency
35 or a training certificate. It is unlawful for any individual to engage
36 in the electrical construction trade or to maintain or install any
37 electrical equipment or conductors without having in his or her

1 possession a certificate of competency or a training certificate under
2 RCW 19.28.161 through 19.28.271. Any person, firm, partnership,
3 corporation, or other entity found in violation of RCW 19.28.161
4 through 19.28.271 shall be assessed a penalty of not less than fifty
5 dollars or more than five hundred dollars. The department shall set by
6 rule a schedule of penalties for violating RCW 19.28.161 through
7 19.28.271. An appeal may be made to the board as is provided in RCW
8 19.28.131. The appeal shall be filed within twenty days after the
9 notice of the penalty is given to the assessed party by certified mail,
10 return receipt requested, sent to the last known address of the
11 assessed party and shall be made by filing a written notice of appeal
12 with the department. Any equipment maintained or installed by any
13 person who does not possess a certificate of competency under RCW
14 19.28.161 through 19.28.271 shall not receive an electrical work permit
15 and electrical service shall not be connected or maintained to operate
16 the equipment. Each day that a person, firm, partnership, corporation,
17 or other entity violates RCW 19.28.161 through 19.28.271 is a separate
18 violation.

19 (2) A civil penalty shall be collected in a civil action brought by
20 the attorney general in the county wherein the alleged violation arose
21 at the request of the department if any of RCW 19.28.161 through
22 19.28.271 or any rules adopted under RCW 19.28.161 through 19.28.271
23 are violated.

24 (3) Electrical trainees, who are directed by their employers to
25 work unsupervised or who are left unsupervised by their employers, are
26 not subject to fines levied by the department.

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