
HOUSE BILL 1841

State of Washington 59th Legislature 2005 Regular Session

By Representatives Wood, Kenney, Conway, Strow, Sells, Simpson,
Hasegawa and Santos

Read first time 02/08/2005. Referred to Committee on Commerce & Labor.

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, and proof of sixteen hours of approved classroom electrical
15 continuing education courses covering this chapter, the national
16 electrical code, or electrical theory, or the equivalent electrical
17 training courses taken as part of an approved apprenticeship program
18 under chapter 49.04 RCW or an approved electrical training program
19 under RCW 19.28.191(1)(h). This education requirement is effective
20 July 1, 2006. A biennial fee shall be charged for the issuance or
21 renewal of the certificate. The department shall set the fee by rule.
22 The fee shall cover but not exceed the cost of administering and
23 enforcing the trainee certification and supervision requirements of
24 this chapter. Apprentices and individuals learning the electrical
25 construction trade shall have their electrical training certificates in
26 their possession at all times that they are performing electrical work.
27 They shall show their certificates to an authorized representative of
28 the department at the representative's request.

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

36 For individuals employed by a general electrical contractor
37 performing nonresidential installations, either a master journeyman
38 electrician or journeyman electrician shall be on the same job site as

1 the noncertified individual for a minimum of one hundred percent of
2 each working day for the first four thousand hours and seventy-five
3 percent of each working day for all hours thereafter.

4 For other individuals, either a certified master journeyman
5 electrician, journeyman electrician, master specialty electrician
6 working in that electrician's specialty, or specialty electrician
7 working in that electrician's specialty shall be on the same job site
8 as the noncertified individual for a minimum of seventy-five percent of
9 each working day unless otherwise provided in this chapter.

10 (4) The ratio of noncertified individuals to certified master
11 journeymen electricians, journeymen electricians, master specialty
12 electricians, or specialty electricians on any one job site is as
13 follows:

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

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

1 meeting the ratio requirements for students enrolled in an electrical
2 construction program at a trade school, a trade school may receive
3 input and advice from the electrical board.

4 An individual who has a current training certificate and who has
5 successfully completed or is currently enrolled in an approved
6 apprenticeship program or in an electrical construction program at
7 public community or technical colleges, or not-for-profit nationally
8 accredited technical or trade schools licensed by the work force
9 training and education coordinating board under chapter 28C.10 RCW, may
10 work without direct on-site supervision during the last six months of
11 meeting the practical experience requirements of this chapter.

12 (5) For the residential (as specified in WAC 296-46A-930(2)(a)),
13 pump and irrigation (as specified in WAC 296-46A-930(2)(b)(i)), sign
14 (as specified in WAC 296-46A-930(2)(c)), limited energy (as specified
15 in WAC 296-46A-930(2)(e)(i)), nonresidential maintenance (as specified
16 in WAC 296-46A-930(2)(f)(i)), restricted nonresidential maintenance as
17 determined by the department in rule, or other new nonresidential
18 specialties, not including appliance repair, as determined by the
19 department in rule, either a master journeyman electrician, journeyman
20 electrician, master specialty electrician working in that electrician's
21 specialty, or specialty electrician working in that electrician's
22 specialty must be on the same job site as the noncertified individual
23 for a minimum of seventy-five percent of each working day. Other
24 specialties must meet the requirements specified in RCW
25 19.28.191(1)((~~f~~)(~~ii~~)) (g)(ii). When the ratio of certified
26 electricians to noncertified individuals on a job site is one certified
27 electrician to three or four noncertified individuals, the certified
28 electrician must:

29 (a) Directly supervise and instruct the noncertified individuals
30 and the certified electrician may not directly make or engage in an
31 electrical installation; and

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

34 (6) The electrical contractor shall accurately verify and attest to
35 the electrical trainee hours worked by electrical trainees on behalf of
36 the electrical contractor.

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

3 (1) It is unlawful for any person, firm, partnership, corporation,
4 or other entity to employ an individual for purposes of RCW 19.28.161
5 through 19.28.271 who has not been issued a certificate of competency
6 or a training certificate. It is unlawful for any individual to engage
7 in the electrical construction trade or to maintain or install any
8 electrical equipment or conductors without having in his or her
9 possession a certificate of competency or a training certificate under
10 RCW 19.28.161 through 19.28.271. Any person, firm, partnership,
11 corporation, or other entity found in violation of RCW 19.28.161
12 through 19.28.271 shall be assessed a penalty of not less than fifty
13 dollars or more than five hundred dollars. The department shall set by
14 rule a schedule of penalties for violating RCW 19.28.161 through
15 19.28.271. An appeal may be made to the board as is provided in RCW
16 19.28.131. The appeal shall be filed within twenty days after the
17 notice of the penalty is given to the assessed party by certified mail,
18 return receipt requested, sent to the last known address of the
19 assessed party and shall be made by filing a written notice of appeal
20 with the department. Any equipment maintained or installed by any
21 person who does not possess a certificate of competency under RCW
22 19.28.161 through 19.28.271 shall not receive an electrical work permit
23 and electrical service shall not be connected or maintained to operate
24 the equipment. Each day that a person, firm, partnership, corporation,
25 or other entity violates RCW 19.28.161 through 19.28.271 is a separate
26 violation.

27 (2) A civil penalty shall be collected in a civil action brought by
28 the attorney general in the county wherein the alleged violation arose
29 at the request of the department if any of RCW 19.28.161 through
30 19.28.271 or any rules adopted under RCW 19.28.161 through 19.28.271
31 are violated.

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

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