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SENATE BILL 6581

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State of Washington                      64th Legislature                      2016 Regular Session

By Senators Warnick, Parlette, Hasegawa, and Conway

Read first time 01/27/16. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to requiring completion of an apprenticeship  
2 program to receive a journey level or residential specialty  
3 electrician certificate of competency; amending RCW 19.28.161,  
4 19.28.191, and 19.28.205; adding a new section to chapter 19.28 RCW;  
5 providing an effective date; and providing an expiration date.

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

7            **Sec. 1.** RCW 19.28.161 and 2013 c 23 s 29 are each amended to  
8 read as follows:

9            (1) No person may engage in the electrical construction trade  
10 without having a valid master journey level electrician certificate  
11 of competency, journey level electrician certificate of competency,  
12 master specialty electrician certificate of competency, or specialty  
13 electrician certificate of competency issued by the department in  
14 accordance with this chapter. Electrician certificate of competency  
15 specialties include, but are not limited to: Residential, pump and  
16 irrigation, limited energy system, signs, nonresidential maintenance,  
17 restricted nonresidential maintenance, and appliance repair. (~~Until~~  
18 ~~July 1, 2007, the department of labor and industries shall issue a~~  
19 ~~written warning to any specialty pump and irrigation or domestic pump~~  
20 ~~electrician not having a valid electrician certification. The warning~~  
21 ~~will state that the individual must apply for an electrical training~~

1 ~~certificate or be qualified for and apply for electrician~~  
2 ~~certification under the requirements in RCW 19.28.191(1)(g) within~~  
3 ~~thirty calendar days of the warning. Only one warning will be issued~~  
4 ~~to any individual. If the individual fails to comply with this~~  
5 ~~section, the department shall issue a penalty as defined in RCW~~  
6 ~~19.28.271 to the individual.))~~

7 (2)(a) A person who is ~~((indentured))~~: (i) Registered in an  
8 apprenticeship program approved under chapter 49.04 RCW for the  
9 electrical construction trade ~~((or who is))~~; (ii) learning the  
10 electrical construction trade while working in a specialty other than  
11 residential; or (iii) learning the electrical construction trade in a  
12 program described in RCW 19.28.191(1) (f) or (g) for a journey level  
13 or residential specialty certificate of competency may work in the  
14 electrical construction trade if supervised by a certified master  
15 journey level electrician, journey level electrician, master  
16 specialty electrician in that electrician's specialty, or specialty  
17 electrician in that electrician's specialty.

18 (b) All apprentices and individuals learning the electrical  
19 construction trade shall obtain an electrical training certificate  
20 from the department. The certificate shall authorize the holder to  
21 learn the electrical construction trade while under the direct  
22 supervision of a master journey level electrician, journey level  
23 electrician, master specialty electrician working in that  
24 electrician's specialty, or specialty electrician working in that  
25 electrician's specialty. The certificate may include a photograph of  
26 the holder. The holder of the electrical training certificate shall  
27 renew the certificate biennially. At the time of renewal, the holder  
28 shall provide the department with an accurate list of the holder's  
29 employers in the electrical construction industry for the previous  
30 biennial period and the number of hours worked for each employer. The  
31 holder shall also provide proof of ~~((sixteen))~~ forty-eight hours of:  
32 Approved classroom training covering this chapter, the national  
33 electrical code, or electrical theory; or equivalent classroom  
34 training taken as part of an approved apprenticeship program under  
35 chapter 49.04 RCW or an approved electrical training program under  
36 RCW 19.28.191(1)~~((+h))~~ (f). ~~((The number of hours of approved~~  
37 ~~classroom training required for certificate renewal shall increase as~~  
38 ~~follows: (a) Beginning on July 1, 2011, the holder of an electrical~~  
39 ~~training certificate shall provide the department with proof of~~  
40 ~~thirty two hours of approved classroom training; and (b) beginning on~~

1 ~~July 1, 2013, the holder of an electrical training certificate shall~~  
2 ~~provide the department with proof of forty-eight hours of approved~~  
3 ~~classroom training. At the request of the chairs of the house of~~  
4 ~~representatives commerce and labor committee and the senate labor,~~  
5 ~~commerce and consumer protection committee, or their successor~~  
6 ~~committees, the department of labor and industries shall provide~~  
7 ~~information on the implementation of the new classroom training~~  
8 ~~requirements for electrical trainees to both committees by December~~  
9 ~~1, 2012.)~~) A biennial fee shall be charged for the issuance or  
10 renewal of the certificate. The department shall set the fee by rule.  
11 The fee shall cover but not exceed the cost of administering and  
12 enforcing the trainee certification and supervision requirements of  
13 this chapter.

14 (c)(i) Apprentices and individuals learning the electrical  
15 construction trade shall have their electrical training certificates  
16 in their possession at all times that they are performing electrical  
17 work. They shall show their certificates to an authorized  
18 representative of the department at the representative's request.

19 (ii) Apprentices and individuals learning the electrical  
20 construction trade must also have in their possession proof of  
21 apprenticeship or training program registration. They shall show  
22 their apprenticeship or training program registration documents to an  
23 authorized representative of the department at the representative's  
24 request. This subsection (2)(c)(ii) does not apply to individuals  
25 working in a specialty other than residential.

26 (3) Any person who has been issued an electrical training  
27 certificate under this chapter may work: (a) If that person is under  
28 supervision, and (b) unless working in a specialty other than  
29 residential, is: (i) Registered in an approved journey level or  
30 residential specialty apprenticeship program, as appropriate; or (ii)  
31 learning the electrical construction trade in a program described in  
32 RCW 19.28.191(1) (f) or (g) for a journey level or residential  
33 specialty certificate of competency. Supervision shall consist of a  
34 person being on the same job site and under the control of either a  
35 certified master journey level electrician, journey level  
36 electrician, master specialty electrician working in that  
37 electrician's specialty, or specialty electrician working in that  
38 electrician's specialty. Either a certified master journey level  
39 electrician, journey level electrician, master specialty electrician  
40 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  
3 of each working day unless otherwise provided in this chapter.

4 (4) The ratio of noncertified individuals to certified master  
5 journey level electricians, journey level electricians, master  
6 specialty electricians, or specialty electricians on any one job site  
7 is as 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 journey  
12 level electrician, or journey level electrician, except that the  
13 ratio requirements are one certified master specialty electrician  
14 working in that electrician's specialty, specialty electrician  
15 working in that electrician's specialty, master journey level  
16 electrician, or journey level electrician working as a specialty  
17 electrician to no more than four students enrolled in and working as  
18 part of an electrical construction program at public community or  
19 technical colleges, or not-for-profit nationally accredited trade or  
20 technical schools licensed by the workforce training and education  
21 coordinating board under chapter 28C.10 RCW. In meeting the ratio  
22 requirements for students enrolled in an electrical construction  
23 program at a trade school, a trade school may receive input and  
24 advice from the electrical board; and

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

37 An individual who has a current training certificate and who has  
38 successfully completed or is currently enrolled in an approved  
39 apprenticeship program or in an electrical construction program at  
40 public community or technical colleges, or not-for-profit nationally

1 accredited technical or trade schools licensed by the workforce  
2 training and education coordinating board under chapter 28C.10 RCW,  
3 may work without direct on-site supervision during the last six  
4 months of meeting the practical experience requirements of this  
5 chapter.

6 (5) For the residential (as specified in WAC 296-46B-920(2)(a)),  
7 pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as  
8 specified in WAC 296-46B-920(2)(d)), limited energy (as specified in  
9 WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in  
10 WAC 296-46B-920(2)(g)), 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 journey level electrician,  
14 journey level electrician, master specialty electrician working in  
15 that electrician's specialty, or specialty electrician working in  
16 that electrician's specialty must be on the same job site as the  
17 noncertified individual for a minimum of seventy-five percent of each  
18 working day. Other specialties must meet the requirements specified  
19 in RCW 19.28.191(1)((~~g~~)) (d)(ii). When the ratio of certified  
20 electricians to noncertified individuals on a job site is one  
21 certified electrician to three or four noncertified individuals, the  
22 certified electrician must:

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

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

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

31 **Sec. 2.** RCW 19.28.191 and 2014 c 156 s 2 are each amended to  
32 read as follows:

33 (1) Upon receipt of the application, the department shall review  
34 the application and determine whether the applicant is eligible to  
35 take an examination for the master journey level electrician, journey  
36 level electrician, master specialty electrician, or specialty  
37 electrician certificate of competency.

38 (a) (~~Before July 1, 2005, an applicant who possesses a valid~~  
39 ~~journey level electrician certificate of competency in effect for the~~

1 ~~previous four years and a valid general administrator's certificate~~  
2 ~~may apply for a master journey level electrician certificate of~~  
3 ~~competency without examination.~~

4 ~~(b) Before July 1, 2005, an applicant who possesses a valid~~  
5 ~~specialty electrician certificate of competency, in the specialty~~  
6 ~~applied for, for the previous two years and a valid specialty~~  
7 ~~administrator's certificate, in the specialty applied for, may apply~~  
8 ~~for a master specialty electrician certificate of competency without~~  
9 ~~examination.~~

10 ~~(c) Before December 1, 2003, the following persons may obtain an~~  
11 ~~equipment repair specialty electrician certificate of competency~~  
12 ~~without examination:~~

13 ~~(i) A person who has successfully completed an apprenticeship~~  
14 ~~program approved under chapter 49.04 RCW for the machinist trade; and~~

15 ~~(ii) A person who provides evidence in a form prescribed by the~~  
16 ~~department affirming that: (A) He or she was employed as of April 1,~~  
17 ~~2003, by a factory authorized equipment dealer or service company;~~  
18 ~~and (B) he or she has worked in equipment repair for a minimum of~~  
19 ~~four thousand hours.~~

20 ~~(d)) To be eligible to take the examination for a master journey~~  
21 ~~level electrician certificate of competency, the applicant must have~~  
22 ~~possessed a valid journey level electrician certificate of competency~~  
23 ~~for four years.~~

24 ~~((e)) (b) To be eligible to take the examination for a master~~  
25 ~~specialty electrician certificate of competency, the applicant must~~  
26 ~~have possessed a valid specialty electrician certificate of~~  
27 ~~competency, in the specialty applied for, for two years.~~

28 ~~((f)) (c) To be eligible to take the examination for a journey~~  
29 ~~level certificate of competency, the applicant must have((~~

30 ~~(i)) successfully completed an apprenticeship program approved~~  
31 ~~under chapter 49.04 RCW for the electrical construction trade in~~  
32 ~~which the applicant worked in the electrical construction trade for a~~  
33 ~~minimum of eight thousand hours((, of which)). Four thousand of the~~  
34 ~~hours shall be in industrial or commercial electrical installation~~  
35 ~~under the supervision of a master journey level electrician or~~  
36 ~~journey level electrician and not more than a total of four thousand~~  
37 ~~hours in all specialties under the supervision of a master journey~~  
38 ~~level electrician, journey level electrician, master specialty~~  
39 ~~electrician working in that electrician's specialty, or specialty~~  
40 ~~electrician working in that electrician's specialty. Specialty~~

1 electricians with less than a four thousand hour work experience  
2 requirement cannot credit the time required to obtain that specialty  
3 towards qualifying to become a journey level electrician(~~(+or~~

4 ~~(ii) Successfully completed an apprenticeship program approved~~  
5 ~~under chapter 49.04 RCW for the electrical construction trade)).~~

6 ~~((+g+))~~ (d)(i) To be eligible to take the examination for  
7 ~~((a))~~ the following specialty electrician certificates of competency,  
8 the applicant must have:

9 (A) Worked in the ~~((residential (as specified in WAC~~  
10 ~~296-46B-920(2)(a)),~~) pump and irrigation (as specified in WAC  
11 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)),  
12 limited energy (as specified in WAC 296-46B-920(2)(e)),  
13 nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)),  
14 or other new nonresidential specialties as determined by the  
15 department in rule under the supervision of a master journey level  
16 electrician, journey level electrician, master specialty electrician  
17 working in that electrician's specialty, or specialty electrician  
18 working in that electrician's specialty for a minimum of four  
19 thousand hours;

20 (B) Worked in the appliance repair specialty as determined by the  
21 department in rule, restricted nonresidential maintenance as  
22 determined by the department in rule, the equipment repair specialty  
23 as determined by the department in rule, the pump and irrigation  
24 specialty other than as defined by ~~((+g+))~~ (d)(i)(A) of this  
25 subsection or domestic pump specialty as determined by the department  
26 in rule, or a specialty other than the designated specialties in  
27 ~~((+g+))~~ (d)(i)(A) of this subsection for a minimum of the initial  
28 ninety days, or longer if set by rule by the department. The  
29 restricted nonresidential maintenance specialty is limited to a  
30 maximum of 277 volts and 20 amperes for lighting branch circuits  
31 and/or a maximum of 250 volts and 60 amperes for other circuits, but  
32 excludes the replacement or repair of circuit breakers. The initial  
33 period must be spent under one hundred percent supervision of a  
34 master journey level electrician, journey level electrician, master  
35 specialty electrician working in that electrician's specialty, or  
36 specialty electrician working in that electrician's specialty. After  
37 this initial period, a person may take the specialty examination. If  
38 the person passes the examination, the person may work unsupervised  
39 for the balance of the minimum hours required for certification. A  
40 person may not be certified as a specialty electrician in the

1 appliance repair specialty or in a specialty other than the  
2 designated specialties in ~~((g))~~ (d)(i)(A) of this subsection,  
3 however, until the person has worked a minimum of two thousand hours  
4 in that specialty, or longer if set by rule by the department; or

5 (C) Successfully completed an approved apprenticeship program  
6 under chapter 49.04 RCW for the applicant's specialty in the  
7 electrical construction trade.

8 (ii) In meeting the training requirements for the pump and  
9 irrigation or domestic pump specialties, the individual shall be  
10 allowed to obtain the experience required by this section at the same  
11 time the individual is meeting the experience required by RCW  
12 18.106.040(1)(c). After meeting the training requirements provided in  
13 this section, the individual may take the examination and upon  
14 passing the examination, meeting additional training requirements as  
15 may still be required for those seeking a pump and irrigation, or a  
16 domestic pump specialty certificate as defined by rule, and paying  
17 the applicable fees, the individual must be issued the appropriate  
18 certificate. The department may include an examination for specialty  
19 plumbing certificate defined in RCW 18.106.010(10)(c) with the  
20 examination required by this section. The department, by rule and in  
21 consultation with the electrical board, may establish additional  
22 equivalent ways to gain the experience requirements required by this  
23 subsection. Individuals who are able to provide evidence to the  
24 department, prior to January 1, 2007, that they have been employed as  
25 a pump installer in the pump and irrigation or domestic pump business  
26 by an appropriately licensed electrical contractor, registered  
27 general contractor defined by chapter 18.27 RCW, or appropriate  
28 general specialty contractor defined by chapter 18.27 RCW for not  
29 less than eight thousand hours in the most recent six calendar years  
30 shall be issued the appropriate certificate by the department upon  
31 receiving such documentation and applicable fees. The department  
32 shall establish a single document for those who have received both an  
33 electrical specialty certification as defined by this subsection and  
34 have also met the certification requirements for the specialty  
35 plumber as defined by RCW 18.106.010(10)(c), showing that the  
36 individual has received both certifications. No other experience or  
37 training requirements may be imposed.

38 ~~((iii) Before July 1, 2015, an applicant possessing an  
39 electrical training certificate issued by the department is eligible  
40 to apply one hour of every two hours of unsupervised~~



1 telecommunications system installation work experience toward  
2 eligibility for examination for a limited energy system certificate  
3 of competency (as specified in WAC 296-46B-920(2)(e)), if:

4 (A) The telecommunications work experience was obtained while  
5 employed by a contractor licensed under this chapter as a general  
6 electrical contractor (as specified in WAC 296-46B-920(1)) or limited  
7 energy system specialty contractor (as specified in WAC  
8 296-46B-920(2)(e)); and

9 (B) Evidence of the telecommunications work experience is  
10 submitted in the form of an affidavit prescribed by the department.

11 ~~(h))~~ (e) To be eligible to take the examination for a  
12 residential (as specified in WAC 296-46B-920(2)(a)) specialty  
13 electrician certificate of competency, the applicant must have  
14 successfully completed an approved apprenticeship program under  
15 chapter 49.04 RCW for the residential specialty electrical  
16 construction trade in which the applicant worked under the  
17 supervision of a master journey level electrician, journey level  
18 electrician, master residential specialty electrician, or residential  
19 specialty electrician, working for a minimum of four thousand hours.

20 (f) Any applicant for a journey level electrician certificate of  
21 competency who has successfully completed a two-year program in the  
22 electrical construction trade at public community or technical  
23 colleges, or not-for-profit nationally accredited technical or trade  
24 schools licensed by the workforce training and education coordinating  
25 board under chapter 28C.10 RCW, may substitute up to two years of the  
26 technical or trade school program for two years of work experience  
27 under a master journey level electrician or journey level electrician  
28 required under the apprenticeship program. The applicant shall obtain  
29 the additional two years of work experience required in industrial or  
30 commercial electrical installation prior to the beginning, or after  
31 the completion, of the technical school program. Any applicant who  
32 has received training in the electrical construction trade in the  
33 armed service of the United States may be eligible to apply armed  
34 service work experience towards qualification to complete an  
35 apprenticeship and take the examination for the journey level  
36 electrician certificate of competency.

37 ~~((i))~~ (g) An applicant for a specialty electrician certificate  
38 of competency who ~~(, after January 1, 2000,)~~ has successfully  
39 completed a two-year program in the electrical construction trade at  
40 a public community or technical college, or a not-for-profit

1 nationally accredited technical or trade school licensed by the  
2 workforce training and education coordinating board under chapter  
3 28C.10 RCW, may substitute up to one year of the technical or trade  
4 school program for one year of work experience under a master journey  
5 level electrician, journey level electrician, master specialty  
6 electrician working in that electrician's specialty, or specialty  
7 electrician working in that electrician's specialty. Any applicant  
8 who has received training in the electrical construction trade in the  
9 armed services of the United States may be eligible to apply armed  
10 service work experience towards qualification to take the examination  
11 for an appropriate specialty electrician certificate of competency.  
12 An applicant for a residential specialty certificate of competency  
13 may substitute work experience under this section only as part of an  
14 apprenticeship program.

15 ((+j)) (h) The department must determine whether hours of  
16 training and experience in the armed services or school program are  
17 in the electrical construction trade and appropriate as a substitute  
18 for hours of work experience. The department must use the following  
19 criteria for evaluating the equivalence of classroom electrical  
20 training programs and work in the electrical construction trade:

21 (i) A two-year electrical training program must consist of three  
22 thousand or more hours.

23 (ii) In a two-year electrical training program, a minimum of two  
24 thousand four hundred hours of student/instructor contact time must  
25 be technical electrical instruction directly related to the scope of  
26 work of the electrical specialty. Student/instructor contact time  
27 includes lecture and in-school lab.

28 (iii) The department may not allow credit for a program that  
29 accepts more than one thousand hours transferred from another  
30 school's program.

31 (iv) Electrical specialty training school programs of less than  
32 two years will have all of the above student/instructor contact time  
33 hours proportionately reduced. Such programs may not apply to more  
34 than fifty percent of the work experience required to attain  
35 certification.

36 (v) Electrical training programs of less than two years may not  
37 be credited towards qualification for journey level electrician  
38 unless the training program is used to gain qualification for a four  
39 thousand hour electrical specialty.

40 ((+k)) (i) No other requirement for eligibility may be imposed.

1 (2) The department shall establish reasonable rules for the  
2 examinations to be given applicants for certificates of competency.  
3 In establishing the rules, the department shall consult with the  
4 board. Upon determination that the applicant is eligible to take the  
5 examination, the department shall so notify the applicant, indicating  
6 the time and place for taking the examination.

7 (3) No noncertified individual may work unsupervised more than  
8 one year beyond the date when the trainee would be eligible to test  
9 for a certificate of competency if working on a full-time basis after  
10 original application for the trainee certificate. For the purposes of  
11 this section, "full-time basis" means two thousand hours.

12 **Sec. 3.** RCW 19.28.205 and 2013 c 23 s 32 are each amended to  
13 read as follows:

14 (1) An applicant for a journey level certificate of competency  
15 under RCW 19.28.191(1)(~~(f)~~) (c) or a specialty electrician  
16 certificate of competency under RCW 19.28.191(1)(~~(g)~~) (d) must  
17 demonstrate to the satisfaction of the department completion of in-  
18 class education as follows:

19 (a) Twenty-four hours of in-class education if two thousand hours  
20 or more but less than four thousand hours of work are required for  
21 the certificate;

22 (b) Forty-eight hours of in-class education if four thousand or  
23 more but less than six thousand hours of work are required for the  
24 certificate;

25 (c) Seventy-two hours of in-class education if six thousand or  
26 more but less than eight thousand hours of work are required for the  
27 certificate;

28 (d) Ninety-six hours of in-class education if eight thousand or  
29 more hours of work are required for the certificate.

30 (2) For purposes of this section, "in-class education" means  
31 approved classroom training covering this chapter, the national  
32 electric code, or electrical theory; or equivalent classroom training  
33 taken as part of an approved apprenticeship program under chapter  
34 49.04 RCW or an approved electrical training program under RCW  
35 19.28.191(1)(~~(h)~~) (f).

36 (3) Classroom training taken to qualify for trainee certificate  
37 renewal under RCW 19.28.161 qualifies as in-class education under  
38 this section.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 19.28  
2    RCW to read as follows:

3        (1)    The department may permit an applicant who obtained  
4    experience and training equivalent to a journey level or residential  
5    specialty apprenticeship program to take the examination if the  
6    applicant establishes that the applicant has the equivalent training  
7    and experience and demonstrates good cause for not completing the  
8    required minimum hours of work under standards applicable on the  
9    effective date of this section.

10        (2)    This section expires July 1, 2022.

11        NEW SECTION.    **Sec. 5.**    This act takes effect July 1, 2020.

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