
HOUSE BILL 2412

State of Washington

68th Legislature

2024 Regular Session

By Representatives Schmidt, Berry, Timmons, Fitzgibbon, Street, and Bergquist

Read first time 01/17/24. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to making technical corrections to plumbing
2 supervision and trainee hours reporting; amending RCW 18.106.070; and
3 reenacting and amending RCW 18.106.010.

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

5 **Sec. 1.** RCW 18.106.010 and 2021 c 65 s 15 are each reenacted and
6 amended to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Advisory board" means the state advisory board of plumbers.

10 (2) "Department" means the department of labor and industries.

11 (3) "Director" means the director of department of labor and
12 industries.

13 (4) "Journey level plumber" means any person who has been issued
14 a certificate of competency by the department of labor and industries
15 as provided in this chapter.

16 (5) "Like-in-kind" means having similar characteristics such as
17 plumbing size, type, and function, and being in the same location.

18 (6) "Medical gas piping" means oxygen, nitrous oxide, high
19 pressure nitrogen, medical compressed air, and other medical gas or
20 equipment, including but not limited to medical vacuum systems.

1 (7) "Medical gas piping installer" means a journey level plumber
2 who has been issued a medical gas piping installer endorsement.

3 (8) "Plumber trainee" or "trainee" means any person who has been
4 issued a plumbing training certificate under this chapter but has not
5 been issued an appropriate certificate of competency for work being
6 performed. A trainee may perform plumbing work if that person is
7 under the appropriate level of supervision.

8 (9) "Plumbing" means that craft involved in installing, altering,
9 repairing and renovating potable water systems, liquid waste systems,
10 and medical gas piping systems within a building as defined by the
11 plumbing code as adopted and amended by the state building code
12 council, and includes all piping, fixtures, pumps, and plumbing
13 appurtenances that are used for rainwater catchment and reclaimed
14 water systems within a building.

15 (10) "Plumbing contractor" means any person, corporate or
16 otherwise, who engages in, or offers or advertises to engage in, any
17 plumbing work covered by the provisions of this chapter by way of
18 trade or business, or any person, corporate or otherwise, who employs
19 anyone, or offers or advertises to employ anyone, to engage in any
20 plumbing work as defined in this section. The plumbing contractor is
21 responsible for ensuring the plumbing business is operated in
22 accordance with rules adopted under this chapter.

23 (11) "Residential service plumber" means anyone who has been
24 issued a certificate of competency limited to performing residential
25 service plumbing in an existing residential structure.

26 (a) In single-family dwellings and duplexes only, a residential
27 service plumber may service, repair, or replace previously existing
28 fixtures, piping, and fittings that are outside the interior wall or
29 above the floor, often, but not necessarily in a like-in-kind manner.
30 In any residential structure, a residential service plumber may
31 perform plumbing work as needed to perform drain cleaning and may
32 perform leak repairs on any pipe, fitting, or fixture from the leak
33 to the next serviceable connection.

34 (b) A residential service plumber may directly supervise plumber
35 trainees provided the trainees have been supervised by an appropriate
36 journey level or specialty plumber for the trainees' first two
37 thousand hours of training.

38 (c) A residential service plumber may not perform plumbing for
39 new construction of any kind.

1 (12) "Residential structures" means single-family dwellings,
2 duplexes, and multiunit buildings that do not exceed three stories.

3 (13) "~~(Service)~~ Residential service plumbing" means plumbing
4 work in (~~(which)~~) residential structures where previously existing
5 fixtures, fittings, and piping (~~(is)~~) are repaired or replaced often,
6 but not necessarily(~~(r)~~) in a like-in-kind manner, or plumbing work
7 being performed as necessary for drain cleaning.

8 (14) "Specialty plumber" means anyone who has been issued a
9 specialty certificate of competency limited to:

10 (a) Installation, maintenance, and repair of the plumbing of
11 single-family dwellings, duplexes, and apartment buildings that do
12 not exceed three stories;

13 (b) Maintenance and repair of backflow prevention assemblies; or

14 (c) A domestic water pumping system consisting of the
15 installation, maintenance, and repair of the pressurization,
16 treatment, and filtration components of a domestic water system
17 consisting of: One or more pumps; pressure, storage, and other tanks;
18 filtration and treatment equipment; if appropriate, a pitless
19 adapter; along with valves, transducers, and other plumbing
20 components that:

21 (i) Are used to acquire, treat, store, or move water suitable for
22 either drinking or other domestic purposes, including irrigation, to:

23 (A) A single-family dwelling, duplex, or other similar place of
24 residence; (B) a public water system, as defined in RCW 70A.120.020
25 and as limited under RCW 70A.120.040; or (C) a farm owned and
26 operated by a person whose primary residence is located within thirty
27 miles of any part of the farm;

28 (ii) Are located within the interior space, including but not
29 limited to an attic, basement, crawl space, or garage, of a
30 residential structure, which space is separated from the living area
31 of the residence by a lockable entrance and fixed walls, ceiling, or
32 floor;

33 (iii) If located within the interior space of a residential
34 structure, are connected to a plumbing distribution system supplied
35 and installed into the interior space by either: (A) A person who,
36 pursuant to RCW 18.106.070 or 18.106.090, possesses a valid temporary
37 permit or certificate of competency as a journey level plumber,
38 specialty plumber, or trainee, as defined in this chapter; or (B) a
39 person exempt from the requirement to obtain a certified plumber to
40 do such plumbing work under RCW 18.106.150.

1 (15) "Unsatisfied final judgment" means a judgment or final tax
2 warrant that has not been satisfied either through payment, court-
3 approved settlement, discharge in bankruptcy, or assignment under RCW
4 19.72.070.

5 **Sec. 2.** RCW 18.106.070 and 2020 c 153 s 10 are each amended to
6 read as follows:

7 (1) The department shall issue a certificate of competency to all
8 applicants who have passed the examination and have paid the fee for
9 the certificate. The certificate may include a photograph of the
10 holder. The certificate shall bear the date of issuance, and be
11 renewed every three years, upon application, on or before the
12 birthdate of the holder. The department shall renew a certificate of
13 competency if the applicant: (a) Pays the renewal fee assessed by the
14 department; and (b) during the past three years has completed twenty-
15 four hours of continuing education approved by the department with
16 the advice of the advisory board, including four hours related to
17 electrical safety. For holders of the specialty plumber certificate
18 under RCW 18.106.010(14)(c), the continuing education may comprise
19 both electrical and plumbing education with a minimum of twelve of
20 the required twenty-four hours of continuing education in plumbing.
21 If a person fails to renew the certificate by the renewal date, he or
22 she must pay a doubled fee. If the person does not renew the
23 certificate within ninety days of the renewal date, he or she must
24 retake the examination and pay the examination fee.

25 The journey level plumber, specialty plumber, and residential
26 service plumber certificates of competency, the medical gas piping
27 installer endorsement, and the temporary permit provided for in this
28 chapter grant the holder the right to engage in the work of plumbing
29 as a journey level plumber, specialty plumber, residential service
30 plumber, or medical gas piping installer, in accordance with their
31 provisions throughout the state and within any of its political
32 subdivisions on any job or any employment without additional proof of
33 competency or any other license or permit or fee to engage in the
34 work. This section does not preclude employees from adhering to a
35 union security clause in any employment where such a requirement
36 exists.

37 (2) A person who is indentured to an apprenticeship program
38 approved under chapter 49.04 RCW for the plumbing construction trade
39 or who is learning the plumbing construction trade may work in the

1 plumbing construction trade if supervised by a certified journey
2 level plumber or a certified specialty plumber in that plumber's
3 specialty. All apprentices and individuals learning the plumbing
4 construction trade shall obtain a plumbing training certificate from
5 the department. The certificate shall authorize the holder to learn
6 the plumbing construction trade while under the direct supervision of
7 a journey level plumber or a specialty plumber working in his or her
8 specialty. The certificate may include a photograph of the holder.
9 The holder of the plumbing training certificate shall renew the
10 certificate annually. At the time of renewal, the holder shall
11 provide the department with an accurate list of the holder's
12 employers in the plumbing construction industry for the previous year
13 and the number of hours worked for each employer. (~~Failure to~~
14 ~~provide plumbing hours worked for each employer is a violation of~~
15 ~~this chapter, subject to an infraction under RCW 18.106.320, and must~~
16 ~~result in nonrenewal of the trainee certificate.~~) A fee shall be
17 charged for the issuance or renewal of the certificate. The
18 department shall set the fee by rule. The fee shall cover but not
19 exceed the cost of administering and enforcing the trainee
20 certification and supervision requirements of this chapter.

21 (3) (a) Trainee supervision shall consist of a trainee being on
22 (~~the same~~) a jobsite and under the control of either a journey
23 level plumber, residential service plumber, or an appropriate
24 specialty plumber who has an applicable certificate of competency
25 issued under this chapter. (~~Either~~) Subject to the ratio of
26 trainees in subsection (4) of this section, either a journey level
27 plumber, residential service plumber, or an appropriate specialty
28 plumber shall be:

29 (i) On the same jobsite as the trainee for a minimum of seventy-
30 five percent of each working day unless otherwise provided in this
31 chapter(~~(-)~~); or

32 (ii) Available via mobile phone or similar device in a manner
33 that allows both audio and visual direction to the trainee from the
34 supervising plumber. Remote trainee supervision using these types of
35 technology is only permitted in cases that meet the following
36 criteria:

37 (A) The trainee has more than two thousand hours of training;

38 (B) The supervising plumber is no more than forty miles from the
39 jobsite; and

1 (C) The scope of work on the trainee's jobsite is residential
2 service plumbing in a residential structure.

3 (b) An individual who has a current training certificate and who
4 has successfully completed or is currently enrolled in an approved
5 apprenticeship program or in a technical school program in the
6 plumbing construction trade in a school approved by the workforce
7 training and education coordinating board, may work without direct
8 on-site supervision during the last six months of meeting the
9 practical experience requirements of this chapter.

10 (4) (a) Until December 31, (~~(2025)~~) 2028, the ratio of trainees to
11 certified journey level, residential service, or specialty plumbers
12 working on a jobsite must be:

13 (i) Not more than three trainees, each working on (~~(any one)~~) a
14 separate residential structure jobsite performing residential service
15 plumbing for every certified specialty plumber or journey level
16 plumber working as a specialty plumber;

17 (ii) Not more than one trainee working on any one jobsite for
18 every certified journey level plumber working as a journey level
19 plumber; (~~and~~)

20 (iii) Not more than one trainee working on any one jobsite for
21 every certified residential service plumber; and

22 (iv) Not more than three trainees working on a residential
23 construction jobsite performing plumbing installation for every
24 certified specialty plumber or journey level plumber working as a
25 specialty plumber.

26 (b) After December 31, (~~(2025)~~) 2028, not more than two trainees
27 may work on any residential structure jobsite for every certified
28 specialty plumber or journey level plumber working as a specialty
29 plumber.

30 (5) An individual who has a current training certificate and who
31 has successfully completed or is currently enrolled in a medical gas
32 piping installer training course approved by the department may work
33 on medical gas piping systems if the individual is under the direct
34 supervision of a certified medical gas piping installer who holds a
35 medical gas piping installer endorsement one hundred percent of a
36 working day on a one-to-one ratio.

37 (6) The training to become a certified plumber must include not
38 less than sixteen hours of classroom training established by the
39 director with the advice of the advisory board. The classroom
40 training must include, but not be limited to, electrical wiring

1 safety, grounding, bonding, and other related items plumbers need to
2 know to work under this chapter.

3 (7) All persons who are certified plumbers before January 1,
4 2003, are deemed to have received the classroom training required in
5 subsection (6) of this section.

6 (8)(a) The department shall instruct the advisory board of
7 plumbers to convene a subgroup that includes the statewide
8 association representing plumbing, heating, and cooling contractors;
9 the union representing plumbers and pipefitters; the association
10 representing plumbing contractors who employ union plumbers and
11 pipefitters; and other directly affected stakeholders after the
12 completion of the 2023 legislative session, the ~~((2024))~~ 2027
13 legislative session, and every three years thereafter.

14 (b) The work group shall evaluate the effects that the trainee
15 ratio changes have had on the industry, including public safety and
16 industry response to public demand for plumbing services. The work
17 group shall determine a sustainable plan for maintaining sufficient
18 numbers of plumbers and trainees within the plumbing workforce to
19 safely meet the needs of the public. The report is due to the
20 standing labor committees of the legislature before December 1st of
21 each year that the work group convenes. The work group shall conclude
22 on receipt of the report by the legislature. Within current funding
23 appropriated to the department, the department must reimburse each
24 member of the work group in accordance with the provisions of RCW
25 43.03.050 and 43.03.060 for each day in which the member is actually
26 engaged in attendance of meetings of the advisory board.

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