

1 DEPARTMENT OF LABOR AND INDUSTRIES
2 STATE OF WASHINGTON
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5
6 ELECTRICAL BOARD MEETING
7

8 TRANSCRIPT OF PROCEEDINGS
9

10 Thursday, January 28, 2010
11

12
13 BE IT REMEMBERED, that a quarterly Electrical Board
14 meeting was held at 9:00 a.m. on Thursday, January 28,
15 2010, at the address of Labor & Industries, 7273 Linderson
16 Way S.W., Tumwater, Washington before CHAIRWOMAN GLORIA
17 ASHFORD and BOARD MEMBERS JIM SIMMONS (Vice Chair), ROD
18 BELISLE, TOM PHILLIPS, DAVID JACOBSEN, DON KOPCZYNSKI,
19 MIKE NORD, VIRGIL HAMILTON, BRUCE TURNER, DAVID BOWMAN,
20 GORDON HOWELL, TRACY PREZEAU, GEOFF NEWMAN, DON GUILLOT,
21 ROCKY SHARP, and SECRETARY/ CHIEF ELECTRICAL INSPECTOR
22 RONALD FULLER. Also present were ASSISTANT ATTORNEYS
23 GENERAL PAM REULAND representing the Board and NANCY
24 KELLOGG representing the Department.
25

WHEREUPON, the following proceedings were held, to
wit:

Reported by:

H. Milton Vance, CCR, CSR
(License #2219)

EXCEL COURT REPORTING
16022-17th Avenue Court East
Tacoma, WA 98445-3310
(253) 536-5824

Thursday, January 28, 2010
Tumwater, Washington

I N D E X

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Agenda Item	Page
1 Approve Transcripts of October 29, 2009, Electrical Board Meeting	3
Motion	3
Motion Carried	3
2 Departmental/Legislative Update	4
3 Certification Quarterly Report & Examination Development	17
4 PSI Presentation on Exam Administration	22
5 Budget Discussion	4, 45
6 Secretary's Report	46
7 Appeals	69
7 A Bruce Lyle Appeal	96
7 B Mitchel P. Lajoie Appeal	69
* Other	71
* Other	98
Motion to Adjourn	102
Motion Carried	102

PROCEEDINGS

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CHAIRWOMAN ASHFORD: It is 9:05. And the January 28, 2010, Electrical Board meeting will now commence. Happy new year.

Item 1. Approve Transcripts of October 29, 2009, Electrical Board Meeting

CHAIRWOMAN ASHFORD: The first order of business is to approve the transcripts from the October 29th meeting.

Motion

BOARD MEMBER PREZEAU: So moved.

BOARD MEMBER BELISLE: Second.

BOARD MEMBER BOWMAN: Second.

CHAIRWOMAN ASHFORD: We have a motion and a second to approve. All those in favor?

THE BOARD: Aye.

CHAIRWOMAN ASHFORD: Opposed? So moved.

Motion Carried

///

1 Item 2. Departmental/Legislative Update

2

3 CHAIRWOMAN ASHFORD: Steve is -- Steve is here.

4 MR. McLAIN: I am here.

5 CHAIRWOMAN ASHFORD: You understand that we'll go on
6 into budget too?

7 MR. McLAIN: Yep. We will probably spend most of our
8 time talking about that if that's all right.

9 There is no current Department legislation pending in
10 terms of Department-initiated legislation around the
11 electrical program.

12 As probably most of you have been following, there
13 are a few pieces around electrical trainees that are in
14 place to allow us for subpoena authority in the electrical
15 program to further help with compliance activities. Those
16 two pieces of legislation I think are scheduled for an
17 executive session this afternoon and are in the
18 legislature now. I understand there's probably some
19 amendments being worked on and stuff. So the Department's
20 been monitoring that. But in general, nothing coming
21 directly from the Department.

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23 Item 5. Budget Discussion

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1 MR. McLAIN: So I would like to shift to budget
2 because that's really what's kind of foremost on my mind
3 today.

4 And as you know, we've been monitoring the agency
5 budget for electrical since last spring when we did
6 layoffs.

7 Just a reminder, in March of last year, we did lay
8 off about 25 field inspectors. That was after we laid off
9 all of our non-permanent inspectors earlier in the year --
10 11. So we reduced significantly the workforce in terms of
11 inspection in the last year.

12 We've been closely monitoring our revenue versus our
13 expenditures since then. Through the summer knew that we
14 were going to be spending slightly higher than our revenue
15 permitted. But that was thoughtful in terms of trying to
16 prepare for what we hope would be a rekindling of our
17 economy and we could start to see some additional growth
18 in the construction industry. Probably all of you sitting
19 around the table here know that that's not coming as
20 quickly as any of us had hoped.

21 So we in this program are at a point where we've got
22 to make another set of decisions around reductions. And
23 I'll give you a little background about why that's the
24 situation.

25 We have been spending for the last seven months since

1 we did our layoffs at a rate of about \$140,000 on average
2 per month more than the revenue that we've been able to
3 bring in. The challenge there is that some of the
4 expenses related to doing our inspection activities have
5 actually gone up a little bit in terms of motor pool costs
6 and travel costs. In addition to those expenses going up
7 a little bit, we've actually -- not to much of our
8 surprise -- it cost us a little more per inspector to
9 travel because we've got fewer of them and they've got to
10 go to all of the remote locations still. So that was a
11 slight effect I think in terms of the gap between
12 expenditures and revenues.

13 I think also in play there was some of the people
14 that actually did get laid off are not being able to go
15 back to work as fast as we thought they might. They're
16 still collecting unemployment, which the Department covers
17 through the unemployment office.

18 So consequently we're in a situation where -- the
19 fund balance as it sits right now is about \$4.4 million.
20 And that's not all the bad news.

21 One of the things that's included in that fund
22 balance is an accounting for money that the Department is
23 expecting to collect, revenues we expect to collect. That
24 would be a lot of fees related, you know, overdue fees
25 that we haven't collected for permits that may be

1 outstanding. Any penalties we've issued through citations
2 are all collectable; the Department counts as revenue and
3 counts in the fund balance.

4 From an accounting perspective, the Department's been
5 asked by the State Auditor to do a review of how we
6 account for our collectibles and how much money we
7 consider realistically collectable.

8 We've had a number of accounts that are -- we've
9 essentially assumed that anything in our collection -- our
10 collectable account we would receive at least 50 percent
11 of. And, in fact, the way that our electrical program
12 works, we collect a much higher percentage of that in the
13 first few years of an account being collectable and a much
14 much lower percentage of that after three and four years.
15 You can understand why. Everyone's license expires in
16 three years, and if they want to continue to have their
17 license, they have to pay up or they can't renew. So
18 those who want to continue, pay. And those who don't want
19 to continue, don't pay.

20 So we have a fairly large amount of money that's been
21 sitting in our collectibles that's very old. Some as old
22 as 20 years that have been on the books. We don't have
23 any authority as the Department to write off collectibles.
24 So we do have to estimate our actual returns, more
25 realistic than a 50 percent return on a 10- or 20-year-old

1 debt.

2 So what that means is that we're actually required to
3 adjust our fund balance to reflect what we realistically
4 are going to collect, which equates to about a \$1.3
5 million -- \$1.35 million reduction in our fund balance,
6 which takes us to a fund balance of just over \$3 million.
7 And that will happen sometime here in February. So by the
8 time we get to the end of February, we will be very close
9 to, if not below, a \$3 million fund balance.

10 So you can see we cannot afford to overspend our
11 revenue stream. So we are taking decisive action. Ron
12 Fuller and Ernie LaPalm and I have had meetings over the
13 last few days and have gone through the numbers. We
14 believe we've got to lay off an additional 19 positions in
15 order to get ourselves in a position where we're about
16 even with our revenue stream. At the moment we're working
17 through the specific details exactly where those positions
18 will be and what positions they will be. I can tell you
19 that I expect this level of production to really affect
20 every part of the electrical program in some way. Our
21 licensing program, our plan review program, and all of our
22 inspection programs.

23 So I don't think we're going to be able to avoid
24 having an impact on nearly everything. It's a tough
25 decision. We are working through the details. So I can't

1 tell you where and what positions today will be reduced.

2 We're looking at the management structure. We're
3 looking at the number of supervisors and lead workers,
4 technical specialists, the gamut of the workforce to
5 determine where the best areas to make these reductions
6 will fit. We're hoping to make decisions next week and
7 begin our notification process.

8 The effective date we're shooting for to get this
9 implemented will be March 31st. And the simple reason for
10 that is that we've got to go through a series of processes
11 under each collective bargaining agreement that's affected
12 and allow people the proper options for employment.

13 The last time we went through this, every employee
14 that we had go through layoff had an option to stay
15 employed with L & I. I think we had about nine people
16 choose not to select that option. I can tell you we had
17 inspectors in positions in the Department that are not
18 within the electrical field that are doing great jobs and
19 have stayed employed and are really doing well in those
20 new positions. So I'm real hopeful that we'll find homes
21 for everybody in some way and that we will continue to
22 move forward and that when the economy recovers we'll be
23 able to bring people back into positions and meet the
24 business demands as a Department.

25 So questions?

1 CHAIRWOMAN ASHFORD: Virgil.

2 BOARD MEMBER HAMILTON: Could we just raise the
3 permit fees and license application testing fees to
4 increase the income?

5 CHAIRWOMAN ASHFORD: Could you please use the
6 microphone.

7 BOARD MEMBER HAMILTON: Could you just raise the fees
8 that we charge to increase the revenue stream temporarily?

9 MR. McLAIN: So the question is: Is it feasible for
10 the Department to increase fees to meet the demand?

11 We did just recently in October increase fees by a
12 little over 5 percent. 5.4 or something like that.

13 SECRETARY FULLER: 2.

14 MR. McLAIN: 5.2.

15 We're actually a little constrained in terms of fee
16 increases. We're required to stay within the economic
17 growth factor in terms of being able to raise fees. So if
18 you look at that for this year, it's about 4.1 percent.
19 We are -- in our calculations, we are including proposals
20 that we would bring to you that would propose fee
21 increases that would take effect in July of this year and
22 July of next year to stay as close to that economic growth
23 factor as possible. Unfortunately that's just not a very
24 sizable impact on -- you know, looking at the number of
25 permits and things that come through our door, it's not

1 that significant of impact on the revenue stream.

2 I can't remember what the monthly impact of the five
3 percent was. Ron, do you remember that number?

4 SECRETARY FULLER: It's about \$50,000. So even with
5 both of those, we don't even come close to the 140.

6 Actually, in our calculations, we're factoring in a
7 really small growth factor for this year and another one
8 for next year too. Whether we see that or not, we don't
9 really know for sure. It all depends on the economy.
10 It's a pretty bleak outlook right now, everybody that
11 we've talked to.

12 We held off as long as we could hoping that we'd see
13 some positive signs now. But there's just not any
14 positive signs there again for this next year. So we have
15 to do something at this point.

16 MR. McLAIN: And I think, as you probably realize,
17 that the biggest challenge for us is that we get --
18 there's a lot of work going on, remodel work and sort of
19 the lower end of the construction industry, not a lot of
20 new construction, which is where the fees and the permits
21 are a little bit higher.

22 And so while we're having still quite a few
23 inspections to get done, it's on the smaller jobs and not
24 on bigger jobs which is actually what kind of helps
25 subsidize those smaller jobs to some degree. It's not

1 that we're not charging enough for the permit fees for
2 services; it's just a matter of demand -- supply and
3 demand at the moment. And right now we're in a situation
4 where we can't meet that.

5 BOARD MEMBER HAMILTON: Will those fee increases
6 include license renewal fees?

7 SECRETARY FULLER: Yes.

8 MR. McLAIN: The only thing it probably doesn't
9 include is penalties.

10 SECRETARY FULLER: Correct.

11 BOARD MEMBER HAMILTON: Thank you.

12 CHAIRWOMAN ASHFORD: Tracy.

13 BOARD MEMBER PREZEAU: This is not surprising, given
14 the economic climate. Although reading the transcript
15 last October we were talking about maybe hiring people
16 back. So I feel a little surprised. But -- and I also
17 recall we had some pretty comprehensive -- Ron has given
18 us some pretty comprehensive budget reports, projections
19 -- you were working very closely with the state
20 forecaster, and I perhaps am remembering accurately that
21 forecaster at the time -- and it's been six months or
22 something -- indicated that perhaps a turnaround in March
23 of 2010.

24 Has that -- have you still been working with him,
25 Ron, and has he or she substantially adjusted that

1 prediction? Or am I potentially not remembering it
2 accurately?

3 SECRETARY FULLER: I'm not working with him any
4 longer. He's retired now. But -- I've talked to him
5 actually since then and attended some of the State budget
6 meetings.

7 What you're inaccurate about is the factor. When he
8 and I worked on it last year, we said then that this year
9 would actually be very, very slightly above last year.
10 And, in fact, that's still what we think.

11 So the last meeting that I went to where all of the
12 big budget analyst types were at actually was out at Saint
13 Martin's a couple of months ago, and the brightest outlook
14 I would say says that the economy won't really start
15 recovering significantly until 2012/2013, and the most
16 negative one said 2016/2017. So it's still a long ways
17 out there. And the bottom line is that we're going to be
18 pretty flat for a couple more years. In their eyes at
19 least.

20 There are hot spots in the state. You know,
21 Kennewick is still hanging in there pretty solidly because
22 of Hanford; there's a lot of Federal money going there.

23 King County has seen a little bit of an upboost this
24 winter over some of the other regions because they're
25 seeing a lot of weatherization and Federal money going

1 into King County, which you would expect. That's where
2 the urban density is, so that's where they put the money.

3 Overall -- the real dilemma for us is -- and for the
4 inspector especially is that workload hasn't declined like
5 the revenue has.

6 Like Steve said, our average cost per permit two
7 years ago was over \$100. And now it's down to \$90,
8 sometimes in the 80s. So the work is still there, but the
9 dollars aren't because of the little remodels and things
10 that people are doing.

11 MR. McLAIN: I think this set of reductions for me is
12 probably the most challenging because there have been a
13 couple of our employees that we did lay off last spring
14 that because of retirement or other people leaving and
15 been able to re-employ. Unfortunately they're still the
16 low people on the seniority list, so they're likely to
17 have a second impact for those individuals. So that's --
18 it's tough to go through this.

19 The other thing that I think is -- that I've really
20 been impressed with for the staff, as Ron said, the
21 workload stayed high. And for as many folks as we've laid
22 off, I was pleased with our ability to deliver service.
23 We've stayed about 85 percent of our inspections were done
24 in 24 hours. Over 92 percent are done in 48 hours. I
25 know that with this reduction, that is going to suffer.

1 There's just no way, particularly in the spring and summer
2 when work goes back up that we'll be able to keep that 24
3 hour number as high as it's been. And I know that has an
4 impact on the industry as well. We're going to do our
5 best, but I know that number's going to suffer.

6 CHAIRWOMAN ASHFORD: Going back to the uncollectible
7 receivables that go back 20 years possibly, is there --
8 going forward, is there going to be a mechanism in place
9 so that doesn't happen again? And how far back now are we
10 looking at keeping receivables on the books? Five years?
11 six years?

12 MR. McLAIN: So we will -- all of our receivables
13 will stay on the books. But the percentage we assume to
14 collect will be adjusted depending on the time frames for
15 the age of receivables. So as I said earlier, those
16 things we look at the first six months, for example, will
17 have a fairly high return rate in terms of receivables.
18 In fact, I think if you look at the things that are
19 receivable in that first three years, essentially almost
20 60 percent -- 60 or 70 percent of what we need to collect
21 comes in. And so that number will be high. And then the
22 older cases go -- they'll be adjusted lower.

23 So we will actually keep track of our receivables
24 based on their age. We're doing this throughout the
25 Department.

1 So we've got -- I don't know -- about seven different
2 looks at it, what we're going to do and what we think
3 we'll receive in the first 60 days, what we think we'll
4 receive from 60 to 180 and so on. And we've done that
5 based on historical information. We've looked at this
6 program and other programs over the last few years. We've
7 looked at what our rate of return and collectibles are and
8 get those different characteristics.

9 So yes, we won't have to make this sort of adjustment
10 again. This is really cleaning up stuff that's been in
11 our system for a long time.

12 CHAIRWOMAN ASHFORD: Rocky.

13 BOARD MEMBER SHARP: What's the reason for keeping
14 those on the books for so long? I mean, what's the law
15 that says to do that?

16 MR. McLAIN: Well, there's no law that allows the
17 State -- the Department -- the State Department to write
18 off a debt owed to the Department.

19 BOARD MEMBER SHARP: I mean, it seems like a lot of
20 paperwork. Ten years is -- what's the likelihood?

21 MR. McLAIN: Exactly. We just don't have the
22 authority to just not collect on a debt if it's owed to
23 the State at all. That's pretty true in all State
24 agencies.

25 CHAIRWOMAN ASHFORD: Any other questions?

1 Thank you.

2 MR. McLAIN: Sorry. But thank you for your time.

3

4 Item 3. Certification Quarterly Report &
5 Examination Development

6

7 CHAIRWOMAN ASHFORD: Doug will have some good news
8 for us, won't he.

9 MR. ERICKSON: I'd like to invite the PSI
10 representatives to come up because my presentation will be
11 fairly short, and it's going to segue into their
12 presentation. We will -- and I will be available for
13 questions during that too.

14 This is Alon Schwartz and Rosie Richards from PSI.
15 I'm Doug Erickson, technical specialist.

16 CHAIRWOMAN ASHFORD: Spell your names please.

17 (To reporter) Oh, you got it?

18 THE REPORTER: (Nodding affirmatively.)

19 MR. ERICKSON: The exam report that you have before
20 you, it wasn't part of the mailed-out package, but it's
21 the package you received today. It's the format we've
22 been using for quite some time.

23 Nothing alarming. When we look for -- when we look
24 through these, it's to ensure that there's no dramatic
25 changes in the pass rates or the exam scores. You'll see

1 the scores are a little down a couple of percentage
2 points, but that's nothing alarming. We've been seeing
3 this increase of a couple of percentage points regularly
4 for a while, which is what prompted us to want to change
5 our exam format a little bit.

6 The format for the biggest exams we give, the
7 first-time pass rate on journeyman exams is about 32
8 percent. And from our experience with other states that
9 give these types of examinations, 40 to 50 percent is the
10 range we're typically all in for those types of exams.

11 We saw for the first time -- in my informal
12 comparison of the same block of months from 2008 to the
13 full year of 2009, we saw a 25 percent decrease in the
14 number of electrician exams being taken. And I take all
15 of the pieces and call that the number of exams. So each
16 part is a module that can be taken separately. So I just
17 lump them all together and then look at the differences
18 between each block of time, each calendar year. 25
19 percent decrease in the number of electricians. And
20 that's not really surprising. Because if the work slows
21 down, people aren't accumulating hours, then you're not
22 creating eligible exam candidates at the same rate. So
23 it's not an unexpected reduction.

24 And likewise, when you look at the same block of time
25 in the administrator examinations, and the master

1 electrician examinations, for the administrator, there was
2 a 15 percent increase in the number of exam pieces taken
3 during the same calendar year. And for the master
4 electrician, I think there was a 12 percent increase. So
5 when times get hard, people spend their efforts
6 establishing credentials that allow them maybe a little
7 more independence. So it's resume building as well. So
8 it's not unexpected. It's just an interesting number that
9 I like to look at.

10 Other than that, that's about all I have on the exam
11 scores. There's, again, a couple of percentage points
12 each way.

13 Jim.

14 BOARD MEMBER SIMMONS: Doug, have you noticed also in
15 that we're seeing an increase in the number of
16 administrators, the number of masters, but are you also
17 seeing an increase in the number of electrical contractor
18 license applications? Or is that not tied together?

19 MR. ERICKSON: I don't know the answer to that
20 question.

21 SECRETARY FULLER: It's grown just slightly.

22 BOARD MEMBER SIMMONS: Just slightly?

23 SECRETARY FULLER: Just slightly.

24 I think it's mostly credential building that's
25 showing.

1 MR. ERICKSON: Anything else on the exam report? It
2 should stay intact for another quarter as is.

3 And then the next part of what I have to talk about
4 was March 31st we've published the deadline for switching
5 to the exam format that PSI is going to administer in the
6 new Atlas system, new to us.

7 So we expect -- and I've said this every time. We
8 expect a decrease in the pass rate because there will be
9 questions put into our exams that haven't appeared before.
10 It's not that they're harder or anything like that. We
11 valued them all the same. But there's going to be 60
12 percent of the material has never been on our exams that
13 are delivered that we've had in our database for that
14 time. And I've put a considerable amount of effort into
15 increasing the quality of the questions. So I expect that
16 some of the questions and answers on the same item in the
17 code are going to have some better choices as distracters.
18 So they're not going to be so easy to pick out the correct
19 answer. I hope that's the effect that I got from the work
20 that I did.

21 I also hope that it's not so traumatic that we have
22 to take some emergency action. So I'm keeping my fingers
23 crossed.

24 But expect a lower pass rate. So I keep trying to
25 condition the Board for that possibility and appropriate

1 complaints you may hear about it.

2 But from my standpoint, we haven't really done
3 anything except put more questions in the mix and take
4 away some of the softballs that we were throwing in terms
5 of questions that had one clear choice and three answers
6 you could eliminate very easily.

7 It's still a test of your ability to use the
8 reference material that's available to you that are
9 applicable for the scope of work you are allowed to do.
10 It may be outside your experience, but those questions
11 will be within the scope of work that the certification
12 you're going after will allow you.

13 So March 31st is what we can work out with PSI. And
14 Ron wanted me to invite them here so that they could meet
15 their real bosses in this state, people that really
16 control the exam, and so that you could have a chance to
17 talk with them, get to meet them and see what they can do
18 and how their system works. I've given you little pieces
19 of that for the last couple of meetings, but they're much
20 better at it.

21 So unless there's any other questions about my piece
22 of this, we can just slide into item 4.

23 CHAIRWOMAN ASHFORD: No question, but a thank you.
24 And if the test scores do go down, you've done a good job.

25 ///

1 Item 4. PSI Presentation on Exam Administration

2

3 MR. ERICKSON: (To PSI reps) You're up.

4 MR. SCHWARTZ: All right. Well, thank you for having
5 us. I actually have -- I don't know if it's set up here
6 -- but I have a -- I brought a PowerPoint with me,
7 something I can present.

8 SECRETARY FULLER: We didn't set that up today. We
9 didn't know that. So you're going to have to talk --

10 MR. SCHWARTZ: All right. Well, I'll wing it. But I
11 did come prepared.

12 First off, I just want to thank you guys for having
13 us. My name is Alon Schwartz. I'm the senior director of
14 client services at PSI.

15 This is Rosie Richards who's our operations manager
16 at PSI.

17 Rosie works in our Vancouver, Washington office, and
18 I actually work in our Burbank office in California, which
19 is just right outside of Los Angeles.

20 So as Doug has mentioned, and I'm sure you've heard,
21 the exams are going to be moving over from a different
22 test platform to our new what we call Atlas test platform,
23 which we feel will be very beneficial to the candidate
24 pool as far as just the way they can register for the
25 exam, the things that happen while they're at the exam,

1 and I just kind of wanted to go over some of the features
2 that the candidates will be seeing.

3 So the first thing I want to talk about a little bit
4 is the actual test delivery on the Atlas platform. So the
5 Atlas platform is again the PSI test platform that the
6 exam will be moving to in March.

7 One of the main differences -- and I know Doug has
8 spoken a lot to our test development staff about this --
9 is the way the exams are delivered. It's no longer
10 they're going to be delivered in fixed forms.

11 Currently the exams are delivered in what we call
12 fixed forms. So just as an example for those who might
13 not be familiar with it, an exam has a hundred questions,
14 there might be two or three different forms or variations
15 of those hundred questions delivered maybe in different
16 order. So if candidate one is sitting in seat one, and
17 candidate two is sitting in seat two, they'll get the same
18 hundred questions but maybe just in different order.

19 That's correct, right?

20 MR. ERICKSON: That's part of it, yeah.

21 MR. SCHWARTZ: What our system can now do is deliver
22 or create unique forms -- unique individual forms on the
23 fly.

24 So what we do is we take the item pool -- so a
25 journeyman electrician exam might have a pool of say 200,

1 300 questions, and the exam calls for 100 questions, when
2 the candidate sits down at his or her seat, a unique form
3 will be created of 100 questions pulling from the pool.
4 So what that does is that limits the exposure of the
5 different items.

6 So that's actually a unique feature that PSI
7 developed I believe ten years ago. One of our chief --
8 actually our test -- our chief science officer, John
9 Weiner developed this we call it "form pass" about ten
10 years ago, and it really is unique to PSI in terms of --
11 and it helps in terms of the item exposure and just the
12 security of the exams. So that's hopefully going to be a
13 feature that will help in terms of just the overall
14 security and integrity of the exams.

15 Any questions? Did I confuse?

16 SECRETARY FULLER: We do have a lot of new Board
17 members, so detail is good here.

18 MR. SCHWARTZ: Okay.

19 SECRETARY FULLER: We've probably got about 50
20 percent since we actually had this conversation the last
21 time. So a lot of detail is good for some of the new
22 folks.

23 What we really have right now today is basically the
24 journeyman exam has five different forms. So each form
25 will have different questions on it. So we have 100

1 questions on that exam. We are using 400 today. But in
2 reality we've probably got 1,800 questions available in
3 the pool. So beginning March 31st, all 1,800 will be in
4 play, not just 400. That's the big difference. Because
5 over the years -- we've been doing this now for ten years
6 almost, and those 400 questions are out there; people are
7 training to them. There has been enough time now for the
8 trainers to pick up on all that stuff. That's going to
9 kind of go by the wayside now. So now they're going to
10 have to work on 2,000 questions instead of 400. So that's
11 a really big difference with what we're doing now.

12 MR. SCHWARTZ: And then as I go along, if anyone --
13 please interrupt me, or any questions, feel free to ask.

14 The next couple of things, just to mention, about our
15 call center and customer service, we have a call center
16 that is in Las Vegas, Nevada. We have about 80 call
17 center representatives. So kind of our main offices --
18 like I said, Rosie's in Vancouver, Washington. Our
19 corporate headquarters are in Los Angeles. And then we
20 have a call center and our shipping center is in Las
21 Vegas. I think currently we have about 80 call center
22 representatives. The call center is open Monday through
23 Friday from 4 -- it would be 7:30 Eastern to 10:00
24 Pacific. So from 4:30 a.m. Pacific to 7:00 p.m. Pacific
25 we have call center staff who are working.

1 The other differences now that we're going to move
2 the program over to the Atlas platform is candidates will
3 be able to register and schedule on-line, which they
4 currently can only do over the phone. So whoever's at
5 home Saturday night decides they want to go on, if they're
6 eligible and are in our system, they can go onto our Web
7 site and pay and schedule for their test.

8 We also have an IVR system, which is an interactive
9 voice response system. So that's basically an automated
10 telephone system that they can also call in and pay and
11 schedule for their test.

12 So it's just some more additional benefits for the
13 candidates in terms of just scheduling for their exams.

14 We have next-day testing. So if a candidate calls
15 today, if there's a seat open tomorrow, they can call up
16 to I believe it's 5:00 p.m. the day before to schedule for
17 a test the next day.

18 I brought some samples. These are -- I think you
19 have them now. They're candidate information bulletins
20 that my staff has developed with Phyllis.

21 Is Phyllis here?

22 SECRETARY FULLER: No.

23 MR. SCHWARTZ: Okay. These are candidate information
24 guides that will basically give candidates any and all
25 information they'll need as far as how to become eligible

1 to where to take the test, what they can -- content on the
2 test, content outlines and anything as far as maybe even
3 after the test what they need to do to get licensed.

4 This candidate information bulletin once it's posted
5 -- once it's finalized will be posted on our Web site, and
6 then candidates can go on, download this -- you can
7 download it. And any and all candidates can get this
8 information even if they're just going to get information.
9 They don't have to schedule or pay for a test to get this;
10 it's just available on our Web site.

11 And so, like I said, Kathy Layton who works with me
12 -- she actually works in Las Vegas -- she kind of handles
13 all of our candidate information bulletins. So she's been
14 working with Phyllis on finalizing this before we actually
15 post it on our Web site.

16 I had a shot of our Web site. If anyone wants to
17 write it down, the Web site is www.psiexams.com.

18 Currently your program is not yet on our Web site.
19 It will be shortly. But if you want to just go and see
20 kind of what our Web site looks like, you can see the
21 other states that we're in, you can download another
22 candidate information bulletin from any other programs to
23 kind of give you an idea of the look and feel of what your
24 candidate can expect.

25 As far as the test administration part, we have our

1 -- what we call our network of test centers is called a
2 premiere plus test center. They're all leased and
3 operated by PSI. All of our test centers, we train our
4 staff. We kind of run and control all of our test sites.
5 So we're not using -- we don't have to rely on other
6 people's test centers. They're all kind of controlled by
7 us.

8 We have a goal of having availability so any and all
9 candidates could get in within a week. We don't ever want
10 it where a person can't get in for two or three weeks. We
11 understand the importance of people needing to take their
12 test so they can get their license.

13 We offer -- yes.

14 CHAIRWOMAN ASHFORD: How many states do you have test
15 centers in?

16 MR. SCHWARTZ: That's a good question.

17 We actually have -- we're at about 30 states.

18 In the states that we're not in, we have -- in those
19 states we'll use what we call third-party sites.

20 So we actually have test centers in all 50, but 30
21 states are controlled by us.

22 In Oregon, for example, we have six of our own test
23 centers. In Washington, we have ten.

24 And that's actually my next -- for those who have the
25 candidate guide, I think a list of our ten test centers

1 are in that guide for Washington. I'll just briefly go
2 over it. The ten sites we're going to have here are in
3 Everett, in the Seattle area, Olympia, Yakima, Spokane,
4 Vancouver, Wenatchee, Tacoma, Burlington and Pasco. Those
5 would be the ten test centers.

6 BOARD MEMBER PREZEAU: So in those other 30 states --
7 I want to clarify -- candidates who wanted to seek
8 licensure in Washington would have the ability to take our
9 exams in all of those other states?

10 MR. SCHWARTZ: Exactly.

11 And that's -- and I think when we were up here last
12 month, that was one of the things discussed. That is
13 driven by the client. So if you allow out-of-state
14 testing, then absolutely.

15 We don't -- so I think a lot of the non-Washington
16 volume from the data we have -- I think a lot goes to
17 Oregon, which we saw, and some might go to Idaho. So you
18 have sites there.

19 Wherever there's a PSI site, yes, someone can go and
20 test there.

21 CHAIRWOMAN ASHFORD: Would that also apply to a
22 third-party site where you're not visible in that state?

23 MR. SCHWARTZ: Yeah. We want to make it -- we don't
24 want to make someone have to come fly across the country
25 to take the test if there's a test where they live.

1 CHAIRWOMAN ASHFORD: So someone in Texas could take
2 our test?

3 MR. SCHWARTZ: Yeah. And in Texas, I think we
4 actually have like 30 test sites. So if there's anyone in
5 Texas, they have a lot of places to go.

6 I had a couple of pictures of what our typical test
7 center looks like but -- I can't really describe those.

8 Some of the other things -- the other features are
9 we're going to develop new candidate score reports for
10 your program. Currently, there are some that are
11 developed that are given now. But some of the differences
12 will be now when a candidate comes to the test center,
13 they're going to have their photograph taken, which
14 currently does not happen. And then on the score report,
15 their photo will be on that. And I'm going to turn this
16 around (turning laptop computer around). I don't know if
17 anyone can kind of see. It might be a little far. But
18 this is kind of a typical score report. They're
19 customizable. So we're working with the staff here to
20 develop the score report, how exactly they want it to be.
21 And again, one of the new features will be the photo. So
22 when a candidate comes to the test center and they go
23 through the check-in process, you know, we verify their
24 identification, make sure that it's who they say they are.
25 And then every candidate must have his picture -- his or

1 her picture taken before they go and take the test. And
2 we do this each and every time they come in. So it's just
3 another form of security as well.

4 So that's kind of currently some of the differences
5 in terms of from when we move the program over to our
6 Atlas platform.

7 Some of the other things that just PSI does in other
8 parts of the country with other clients are we actually do
9 licensing services as well.

10 So in some instances our clients want us to hand out
11 where they do instant licensing. We hand out actual
12 licenses -- paper licenses or license cards to the
13 candidates upon completion of their test. So that
14 photograph that we take not only goes on their score
15 report, but also will go on the license card or license
16 certificate if required.

17 CHAIRWOMAN ASHFORD: Is there an additional fee for
18 that?

19 MR. SCHWARTZ: It depends. I mean, each one is
20 different. It depends on how the program is structured.
21 Usually in most cases, it's kind of built into the test
22 fee. They'll pay it -- it's kind of like instead of
23 paying their license fee after, they'll pay it with the
24 exam fee as well.

25 We actually have in New Mexico where we do the

1 instruction exams in New Mexico, we actually have a full
2 licensing office that handles the entire licensing process
3 from application to renewals where we get all the
4 documentation in, process it, and then send out renewal
5 license cards or renewal license certificates.

6 So these are just some of the things that PSI, the
7 company, does now that is different from before.

8 CHAIRWOMAN ASHFORD: Going back for a moment to your
9 exam report form, what detail does the applicant see on
10 that?

11 MR. SCHWARTZ: On the form? Whatever you want on it.
12 It's customizable.

13 So we're working with Doug and Phyllis now, and
14 they're telling us, "Here's what we want on it."

15 MR. ERICKSON: We tell them the area of the code down
16 to the chapter and the article. Article 250. 240
17 Overcurrent Protection. That's as fine a detail as we
18 give them is the area where --

19 MR. SCHWARTZ: But then I thought -- if I -- maybe I
20 misunderstood your question. Besides that, let's say
21 someone passes their exam, and then you want to tell them
22 kind of next steps, you know, it might be written on the
23 score report, you know, "Upon passing, send in to 'X, Y
24 and Z.'" Or if you want to tell them anything if they
25 fail, you put it on the fail score report, "You must wait

1 'X' amount of days." So any and all information that you
2 want on the score report, it's customizable.

3 CHAIRWOMAN ASHFORD: Thanks.

4 BOARD MEMBER PREZEAU: I don't know if you were aware
5 of this, but last year there was some legislation passed
6 that required -- well, it allowed the Department to
7 enforce some different standards in terms of licensing and
8 displays of journeyman licenses visibly and also granted
9 the Department some ability to put photo ID on the license
10 itself.

11 So could you speak a little bit more in-depth about
12 your program's ability to produce a durable license,
13 something that's maybe of -- that is of a material that
14 would be able to withstand being displayed openly in a
15 construction environment and --

16 MR. SCHWARTZ: A badge?

17 BOARD MEMBER PREZEAU: Correct, and that photo
18 component? And in addition, to specifically the ability
19 to create different color codes of the badge material
20 potentially to identify journeyman status, specialty
21 journeyman status, trainee status if that's possible.
22 Could you speak on that?

23 MR. SCHWARTZ: Sure. We do -- we issue out different
24 types of licenses. So I think the most complex badge that
25 we issue is actually in the state of Michigan. And there,

1 they have a law where upon completion of the exam, they
2 wanted the candidate to get their license right then. So
3 there, the license card would actually have a hologram,
4 kind of like a driver's license. There's a bar code on
5 the back so when the inspector's in the field, they can
6 scan the bar code, get the candidate's -- get the
7 licensee's information.

8 In other programs where they don't want immediate
9 licensure, for example, after completion of a test, they
10 might need to do a background check or something on a
11 licensee -- a potential licensee. They might leave our
12 test center, then we might get another file for that
13 person who is now eligible for a card, and then we send
14 those out.

15 So the card itself is designable to have on it any
16 and all information that you want on it. So we do have
17 ones where it prints in a different color based on the
18 type of license that you have. Again, whether you want a
19 bar code or you just want the certificate or licensee
20 number, any and all information that you would want on it,
21 we could print it on the card and then --

22 BOARD MEMBER PREZEAU: Inclusive of the photo?

23 MR. SCHWARTZ: Absolutely. So that's when the photos
24 -- when we take those photos initially, those photos are
25 stored. So again, they print on the score report that the

1 candidate walks out with. But if later on we need to send
2 out a card or a badge or a certificate, we use that photo.
3 That photo is attached to that candidate's record forever.

4 So they would later on, if you decide in a year a new
5 law passes that they need these, they wouldn't even have
6 to come back to take a photo if they came to us and
7 tested; we have their photo right then and there and can
8 use that to send out, whatever it is.

9 SECRETARY FULLER: We've been looking at this, Tracy,
10 and it sounds really simple, but it's not. If you were a
11 brand new program, it would be very simple.

12 BOARD MEMBER PREZEAU: No, I understand that.

13 SECRETARY FULLER: The dilemma for us is the existing
14 people, how to deal with their photos.

15 And money-wise, for us really the money issue is how
16 we update our system to communicate back and forth.

17 BOARD MEMBER PREZEAU: Yeah, I know it's not a simple
18 undertaking. I just want --

19 SECRETARY FULLER: But it's very nice. I mean, they
20 go from everything from basically what looks like a
21 driver's license that's very, very plain with a name and a
22 picture -- a name and no picture on it even; that's the
23 cheap one -- up to holograms and all kinds of cute bells
24 and whistles that are probably four times the cost. So it
25 just depends on what you want. But we're looking very

1 strongly at it right now.

2 MR. ERICKSON: And they are willing to do renewals --
3 they'll negotiate whatever services we need. But they'll
4 do renewals, take the pictures at their own exam centers.
5 So all things are possible as the law and the budget
6 allows.

7 MR. SCHWARTZ: Right. And as Ron was saying,
8 definitely for a new candidate, it's much easier because
9 they're already coming to us to take the test anyway, so
10 their photo's being taken. But any existing licensees, we
11 would just -- you know, we would set up appointments for
12 them to come into our sites just to take the picture,
13 which we've done.

14 You know, the one thing just about our company as a
15 whole is we're definitely client oriented. We're customer
16 service oriented. So we don't have kind of like an
17 off-the-shelf card or an off-the-shelf score report.
18 Everything we do is catered and customizable to our
19 clients' needs. So, you know, in short, kind of whatever
20 it is you would want, we would do for you.

21 BOARD MEMBER PREZEAU: For me, one of the most
22 exciting things that you've said so far is that you take
23 the pictures and then store them. So potentially some of
24 those challenges have an existing program. Dealing with
25 that transition over time sounds like it's potentially

1 easier because you have that data for a period of time;
2 that is storeable data.

3 MR. SCHWARTZ: Right, yeah. And not to go too far,
4 but in the -- and I think I sent some samples up here, but
5 for example, on these cards, these hologram cards that we
6 use, they actually wanted the candidate's signature on it
7 as well. So we have signature pads kind of like the
8 credit card pads that you see now at stores at our test
9 sites as well.

10 So again, whatever information or candidate info you
11 want on the card, we could do as long as we're collecting
12 that data.

13 BOARD MEMBER HOWELL: On your -- do you have any kind
14 of auditing trail that to take a random test to go through
15 to make sure that the computer is correct and matches up
16 the correct answers once they've done their tests on that?

17 MR. SCHWARTZ: Well, before we launch any exam, I
18 mean, we have a complete quality assurance cycle to make
19 sure that every question is keyed correctly.

20 After the fact, what we do -- and in this case
21 because Doug developed the exam, we worked with Doug after
22 the fact --

23 That actually reminded me of a point I forgot to
24 mention. On our -- when the candidate sits down and takes
25 the exam, they're able to comment on the specific

1 questions. So if you're on a certain question and you
2 want to -- and you don't think it's valid or you might
3 think there's two right answers, right then and there type
4 it on that specific question, and then our staff along now
5 with Doug because they're his exams will go through and
6 look at these comments. And every now and then someone
7 might have a valid point. And at that point, you know,
8 you decide whether to give this person another point and
9 we remove this question. So there is definitely some
10 audit after the fact.

11 BOARD MEMBER HOWELL: Do you also have a trail for
12 updating the questions? Like every few years some of
13 these manuals and codes get updated, so you go in and --
14 that's -- I'm assuming that all gets taken care of?

15 MR. SCHWARTZ: Yes.

16 MR. ERICKSON: That's a task usually assigned to us.
17 I did it last time around. It took a long time. A lot
18 longer than I would have ever guessed.

19 BOARD MEMBER PREZEAU: And you're hoping it won't
20 happen again until --

21 MR. ERICKSON: I'm hoping that the next time around
22 it really is as simple as going through and finding the
23 reference and noting any changes to it.

24 We feel we've covered the material with appropriate
25 questions. So then it's just a matter of going through

1 and updating per each code cycle.

2 And we're always a year behind our official adoption
3 at the earliest. You don't just jump right into the new
4 exams. You give the industry some time to acquire the
5 code books. Nobody goes out and buys them the first day
6 that we adopt a code. Inspectors have them ahead of time.
7 But the industry -- it takes a while for working into the
8 system. Training programs are usually pretty good at
9 staying ahead of it.

10 BOARD MEMBER TURNER: I'm assuming you run some kind
11 of a statistical analysis on answers to see if there's one
12 or two questions that are problematic?

13 MR. SCHWARTZ: Yeah.

14 MR. ERICKSON: We track how much time the individual
15 spends on each question. If we want that, we can have it.
16 They can track everything. And we have data on it. We
17 look at them. It just gives you an idea of how we review
18 the psychometric data.

19 At one time we just had a report designed that gave
20 us the questions that were missed more than 50 percent of
21 the time, the worst-scoring questions. And we went
22 through and individually looked at each of those
23 questions, and they were all good. There was nothing
24 wrong with it. It's just that people couldn't find -- it
25 was familiarity with it. So we do look at that to make

1 sure that we don't have any bad ones in there.

2 But I have to tell a story on myself. When we turned
3 over our 1,954 polished questions that I was done with,
4 turned them over to the design team down in Burbank, they
5 brought all the data into the new -- everything moved
6 smoothly, all the questions, answers, distracters,
7 references. And they called me up and said, "Gee, we've
8 got seven questions with no answers." No correct answer.
9 Everything else was there except the correct answer. So I
10 provided those. And I appropriately scored myself a 99.4.
11 But on that volume of questions, somehow in my
12 manipulation of the database I didn't answer seven of the
13 questions in the database. So there's the possibility for
14 those kinds of errors.

15 In our history with LaserGrade, we have had one exam
16 challenge that was successful, and that was where the data
17 entry into the screen displays, there was a typo there.
18 And it was on one form of one exam. And we appropriately
19 gave the person who challenged that question credit for
20 it. But we haven't had another one since where there's
21 been an error in the scoring or the presentation or the
22 correct answer because we've referenced all the correct
23 answers.

24 SECRETARY FULLER: Several years ago we hired --
25 contracted out to a psychometrician to go through our

1 exams and the process from beginning to end, from
2 development of the item until it was administered, and
3 really the only thing that he came up with that we were
4 lacking was reporting on the individual items. But since
5 then, we --

6 (To Mr. Schwartz) I think about the only thing I can
7 think of that you may not track is changed answers. You
8 may even be able to tell that; I don't know. If somebody
9 marks D and changes it to C.

10 But -- down to the seconds it takes to take the --
11 that you have that question open to the percentages
12 missed. Way more information than you can possibly
13 fathom.

14 But what we found really during that process was that
15 the exams from one form to another were only deviating by
16 one or two percent in the pass rates. So that tells us
17 that all of our forms were good, all of our questions were
18 good. There's lots of things that you can look at to make
19 those evaluations. But that was the missing link for us
20 was the reporting process, not what the exam had or how we
21 administered it; that was all good. So that was our
22 finding.

23 And the reports with PSI I think are going to be
24 better than with LaserGrade because there was some
25 manipulating -- like Doug has to spend a fair amount of

1 time manipulating to get this little spreadsheet to you,
2 and that's hopefully going to come in a more canned format
3 from PSI.

4 MR. ERICKSON: I hope so.

5 There are also features to their system that allow us
6 to go look at the individual's exam scores ourselves. We
7 have a way into the results, which is a service to us.
8 Rather than today we're making phone calls and we're
9 getting a test report formally from them and trying to
10 match that up to the exam questions to see if -- it's
11 going to be a lot more accessible to us in terms of the
12 reports and the individual scores that -- where people
13 need us -- want us to look at their reports.

14 We don't give a lot of information to exam
15 candidates. I have been fielding all of the complaints
16 about the exams. And most times people just calm down
17 after the fact that they've failed. If you ask them a few
18 key questions about the things that are planted in their
19 head because they struggled with it, if you ask them a few
20 key questions, almost without fail I come across something
21 and say, "Well, what did you use for the voltage value?
22 What was your assumption?" And they say it. And I say,
23 "You might want to look in this area of the code."
24 Because there's some -- and you get those "ah-ha" moments
25 when they realized that the question isn't bad when you

1 touch on the thing that they tripped over. So almost
2 always we have -- the complaint goes away. It's really
3 not just the stress and the frustration.

4 CHAIRWOMAN ASHFORD: Thank you.

5 Do you have more of your presentation?

6 MR. SCHWARTZ: No. I think that covered it.

7 CHAIRWOMAN ASHFORD: Any more questions?

8 BOARD MEMBER PREZEAU: I have a question for Doug if
9 nobody has any questions.

10 And Doug, I don't mean to put you on the spot, but at
11 the last meeting there was a discussion about advanced
12 credit, and Ron assigned the responsibility, if I remember
13 correctly, to you to give a report on if any -- and I
14 could look at the actual reference, but whether anyone
15 applies for advanced standing, and if -- that part of your
16 education -- or your exam report would go to that. And I
17 don't know if you guys are prepared to give that
18 information. I just wanted to remind the Board and Ron
19 and you about that discussion from last Board meeting.

20 SECRETARY FULLER: As far as I know, we've had nobody
21 request it.

22 CHAIRWOMAN ASHFORD: Any further questions of --

23 SECRETARY FULLER: For the new Board members, what
24 that question is about is apprenticeship programs have the
25 ability to grant advanced standing to entering

1 apprentices. The new apprenticeship policy from the
2 apprenticeship committee is that they have to get our
3 permission and basically grants the hours. And so we
4 would be looking at hours that are equitable to what we
5 would normally give a trainee. And so far we've had none
6 of those that I know of.

7 CHAIRWOMAN ASHFORD: Thank you.

8 BOARD MEMBER SIMMONS: Thank you very much.

9 CHAIRWOMAN ASHFORD: Look forward to seeing those new
10 test results.

11 Milton, how are your fingers doing?

12 THE REPORTER: I could use a break -- a quick break.

13 CHAIRWOMAN ASHFORD: Ten minutes?

14 THE REPORTER: Sure.

15 CHAIRWOMAN ASHFORD: Okay, we'll reconvene at about a
16 quarter after, give or take.

17 (Recess taken.)

18 CHAIRWOMAN ASHFORD: Okay, sorry for the delay. It's
19 10:28. The meeting will now reconvene.

20 CHAIRWOMAN ASHFORD: The secretary's report.

21 SECRETARY FULLER: Can we touch on the budget a
22 little bit more?

23 CHAIRWOMAN ASHFORD: Sure.

24 ///

25 ///

1 Item 5. Budget Discussion (Revisited)

2
3 SECRETARY FULLER: All right.

4 I'm just going give you a few more details than we
5 discussed earlier on the budget.

6 The fund balance through December actually with
7 actuals is \$4.8 million. Basically every month you can
8 knock that down a couple hundred thousand. So what we're
9 looking at right now at the end of April is we will be
10 down to about \$3 million. That includes that \$1.3 million
11 adjustment for the uncollectibles that Steve was talking
12 about. Then the layoff will have kicked in by then. We
13 will have theoretically paid -- started paying the
14 unemployment and buy-outs and those things. So I don't
15 look for the fund unless the economy takes another dive on
16 us of going below the \$3 million very much if at all. And
17 that leaves us with about two months -- a little over two
18 months of operating revenue.

19 So I just want you to be aware of where we're going
20 to be in a few more months. So by April we'll be right at
21 \$3 million, plus or minus a hair.

22 CHAIRWOMAN ASHFORD: Well, let's hope the economy
23 doesn't take another drive.

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1 Item 6. Secretary's Report

2
3 SECRETARY FULLER: So I'll step into the secretary's
4 report then.

5 We've talked about the first line with budget.

6 Customer service: The EPIS system again has been
7 pretty stable. We're still at 81 percent using the EPIS
8 system to buy permits on-line. And 64 percent of the
9 request for inspections are done on-line.

10 We're trying to concentrate some more effort on
11 getting renewals done on-line. We're still at a pretty
12 low percentage rate of the certificate and license
13 renewals. And I don't really understand why, other than
14 it's difficult to communicate with individuals. We've
15 sent out mailers. We've done newsletter articles. We've
16 made it cheaper. It's actually about five percent cheaper
17 to do it on-line now, and it's faster. You don't have to
18 use the mail. You don't have to do the stamp and all
19 that. But people are reluctant for some reason to do it
20 on-line. So we're going to make a little bit more effort
21 to do that and try to boost that up so that we can help
22 our licensing staff out with having that workload decrease
23 if possible.

24 WAC Rules: We're getting ready to file the CR 101 to
25 do the fee increase for July 1st. And that's the only

1 thing that we're going to have in that WAC rule change.
2 So at the April meeting we'll be talking to you about that
3 change, and I would expect that you would approve that.

4 The main WAC rule change -- I'm planning on opening
5 up all the technical sections, if not all of the WAC rule,
6 again, in September when the NEC publishes the next
7 version. It seems like we just did it. But they do it
8 every three years whether we want to or not. So they've
9 got a lot of changes again in the NEC, an ongoing issue of
10 changes.

11 So we're going to open it up probably end of
12 September or early October for proposals, go through the
13 TAC process again and all that. And probably it'll take
14 us through June or so to get it adopted, get the code
15 adopted next year. So we'll just have to see how the
16 schedule works out and everything.

17 So that's when the next big opportunity for proposed
18 changes will be.

19 No new testing lab applications.

20 We're having a pretty substantial increase in
21 workload in central office for the tech specs with
22 engineering approvals and variances and field evaluations.
23 A lot of unlisted equipment being sold in the state, so
24 people are going down the engineering evaluation and the
25 field evaluation route for those. So we're processing a

1 lot of those right now that we haven't done in the past --
2 more than we've done in the past.

3 Performance measures: We're at 94 percent for the
4 year actually through December in 48 hours. So a little
5 bit higher than what Steve said. I think he said 92
6 percent this morning. But we're actually doing 94.

7 Targeted citations is up over the goal there. So 71
8 percent of all the citations and warnings being issued are
9 for contractor violations, electrician violations and
10 permitting violations. So the focus is right where we
11 want it to be. It's on the underground economy and people
12 that are trying to skirt the law somehow in competition.

13 The inspection stops has dropped through the winter.
14 It's down to 9.8 since July 1st.

15 The electrical disconnect corrections are still at a
16 big number, 37,000. So those are the corrections where
17 one correction would warrant turning the service off if we
18 didn't get it fixed. So we're still writing way too many
19 of those kind of corrections. The quality work out there
20 leaves something to be desired.

21 The processing time for licensing is three days right
22 now for this first six months. We're ahead of our goal
23 for that. We're probably going to see that start to slip
24 because of the layoffs. Because part of my staff is being
25 impacted too just like the inspector staff is.

1 So we've tried to do some things in the last few
2 months fortunately that should speed up our process a
3 little bit. I'm hoping that that time line doesn't slip
4 very much.

5 Plan reviewers are still at six sheets per day. So
6 they're right on target with what they're doing.

7 The one thing that I added in your packet this time
8 is the printout of the scorecard. We changed it in
9 January to include a lot more items. I'm just going to
10 kind of quickly go through.

11 But most of the target measures and the indicators --
12 workloads indicators were related around the inspectors'
13 activities. There's a lot in here now that's related
14 directly to what central office is doing so that people
15 can identify what the different work groups in central
16 office do.

17 The first one for a performance measure is number
18 four, which has been on the scorecard for a while now.
19 It's the turnaround time for licenses.

20 Number five is a new measure, though. That's the
21 time it takes us to turn around continued ed approvals for
22 the classes and the instructors. So for the first six
23 months this year we went back and pulled all the data out.
24 And so we're turning everything around with continuing ed
25 within five days 98 percent. We would have been at 100

1 percent if Sheila hadn't been nice to a few people that
2 were dragging their feet. She let them have extensions on
3 time when she didn't have proper information. Now that
4 she knows that she gets a mark on her record, she said she
5 wasn't going to be so nice to some of these people that
6 didn't come forth with information. So I'm looking a that
7 one probably to be close to 100 percent still.

8 The timely processing of civil penalty appeals, what
9 that means is how long does it take us from the time the
10 supervisor hits the button to say a citation is ready
11 until we assess the penalty and get the demand letter out
12 the door. They have three days to do that. That's our
13 goal. And the first six months we got every one of them
14 out on time. So that's 3,000 or so citations that went
15 out on time.

16 The next measure is appeals. Number 7 is the number
17 of appeals won. For the first six months of the year we
18 averaged 97 percent that we won and 3 percent that we
19 lost. The losses include the actual losses. It also
20 includes if we void one that's been appealed. So if
21 someone sends an appeal in and we find out in the review
22 process that we don't have adequate evident, we're
23 counting that off as a loss. So basically we're doing
24 pretty good. We're writing good tickets out there, and
25 they're being upheld at the law judge level.

1 Number eight is the first and second demand letters
2 and when we send things to collections. What this means
3 is that we're getting the letters out timely, and we're
4 not sitting on people's accounts here. If they're not
5 paying up, we're sending them to collections a lot faster
6 than we used to.

7 So right now the process gets a person from the time
8 they first get notified of a citation penalty to
9 collections within about 60 days. And a year ago that was
10 about nine months. So that's a huge difference. It
11 should be a huge difference for us in our collections.

12 When we went through this exercise with the doubtful
13 accounts, we went back and looked at every citation issued
14 in the last three years, and we were actually collecting
15 about 75 -- it depended on the year, but between 75 and 80
16 percent now is where we're at on collections, which is
17 that three-year period.

18 So collections are again better than they used to be.
19 When I started we were at about 60 percent.

20 So they're looking at all those programs that have
21 outstanding debt, whether it be some kind of a fee or an
22 industrial insurance payment or whatever. We had the
23 highest rate of collectibles of any program in the
24 Department, so that made me feel pretty good that we were
25 doing a good job on that.

1 Number nine is the plan review turn-around times.
2 The measure for the sheets per day is still on there. We
3 also have some new -- a new measurement, though. We call
4 it the average backlog in weeks for all plans. So whether
5 it's a one sheeter or a 50 sheeter set of plans, we've
6 developed an average of how long that plan sits in plan
7 review from the time we receive it till it's sent out. So
8 the first six months we were at 1.8 weeks for an average
9 plan. So that's pretty fast. It's much faster than we
10 were in years past.

11 So that's the measurements. Everything else that's
12 on the list is indicators. I'm just going to try to touch
13 on the new ones.

14 Number six is -- I think number six has been on there
15 for a while now. But that's the number of licenses and
16 certificates that we actually process. So this year we've
17 processed -- through those first six months, we've
18 processed 11,009. Last year in FY09 we processed 23,495.
19 So we're doing that with four people. To break that down,
20 that's just part of their job actually. But that's pretty
21 phenomenal that we're that automated now.

22 I'm glad in hindsight that I spent the time and the
23 money that it took in the years past to automate the
24 systems as much as we have because that's going to save us
25 I think now. If we were doing things the way we were ten

1 years ago, we would be in dire trouble right now in
2 central office.

3 Number seven is continuing ed. That's a new one. So
4 far Sheila's processed 438 applications for either
5 instructors or courses this year in six months.

6 We've processed 738 citation appeals. We won 222; we
7 lost six.

8 Sent out 2,503 demand letter 1's. So that's actually
9 the total number of citations. So in six months we sent
10 out 2,500 citations.

11 The second letter is after the 20-day period is up,
12 it's a final judgement if they haven't appealed. We had
13 1,500 people.

14 So in that first 20 days, we had 1,000 citations paid
15 off out of 2,500. So that's pretty good.

16 Number 13 is the number sent to collections. We had
17 1,083 sent to collections. So that's not good. We want
18 people to not go to collections. We don't want them
19 there. That's not good for them or us, either one. We're
20 taking some actions between that second demand letter and
21 the sending them to collections --

22 (To Board Member Simmons) I'll get to you in just a
23 second.

24 -- to try to get people to go ahead and pay the
25 penalties off. Because once they go to collections, it's

1 almost an automatic 50 percent increase in penalties and
2 fees from the collection agency. If you have 41,000 in
3 penalties, now you're up to \$1,500 day one when you go
4 over there. So we don't want people there.

5 So we're making phone calls and trying to talk them
6 into paying up or doing some kind of a payment plan or
7 whatever it takes to keep them out of collections because
8 that's not where we want people to be.

9 Jim.

10 BOARD MEMBER SIMMONS: A quick question, Ron.
11 Looking at the indicators here, I'm seeing on the top
12 left-hand corner, it says FY09. So I'm assuming that's
13 "Full Year 09"; is that right?

14 SECRETARY FULLER: Fiscal year.

15 BOARD MEMBER SIMMONS: Fiscal year, okay.

16 SECRETARY FULLER: Fiscal year is July 1st through
17 June 30th. So FY09 ended June 30, 2009.

18 BOARD MEMBER SIMMONS: So the first quarter, second
19 quarter's actually the third and fourth quarter of last
20 year.

21 SECRETARY FULLER: Correct. Confusing.

22 Number 14 is ECORE and audit industrial insurance
23 referrals. We've had 14 referrals for a total of about
24 \$28,000. So that's money that industrial insurance will
25 collect now because of people that we found out in the

1 field that were probably acting as independent contractors
2 when they were employees. That's typically what that
3 referral is about. So between contractor "reg,"
4 compliance officers and our inspectors and the ECORE
5 people, there's -- I want to say there's several million
6 dollars every year referred to the fraud unit that they
7 collect on. It's a huge number.

8 I should maybe get Carl down here some -- maybe the
9 next meeting and talk to you about that. Because the
10 fraud for industrial insurance is gigantic. And that
11 really eats into the industrial insurance fund and raises
12 the rates on individual companies dramatically. So
13 there's a big emphasis on -- it's part of the underground
14 economy. So they've got a full-fledged task force up
15 there now. They're going to try to combat that and get
16 people to pay their industrial premiums too.

17 16 is the trainee hours reviewed by audit. In six
18 months they looked at affidavits and et cetera over
19 970,000 hours. They denied 450,000 of those hours. So
20 for some reason or another they weren't adequate.

21 A lot of that is new applicants from other states.
22 One of the latest ones within the last couple of weeks has
23 been sign -- we had a couple of sign applicants from
24 Oregon. Sign apprentices in Oregon get credit for their
25 shop time driving trucks, that kind of stuff that's

1 actually required in their apprenticeship and it's laid
2 out in their scope of work. But up here we don't give
3 credit for that. We only give credit for the construction
4 time. Because our sign people can do services. Their
5 sign people can't. They can only do branch circuit
6 extensions. So there's a lot of times, especially with
7 specialties, where those scopes don't match and we don't
8 grant the hours that they think they have.

9 So it's just an example of why we would deny the
10 hours.

11 Class B labels, we reviewed 18,647 of them. So we're
12 still writing very few corrections on any of those. Still
13 watching that.

14 The plan review backlogs for small plans, this ties
15 into that other measure that we had earlier for the
16 performance measure. We decided to break our plans up
17 into small, medium, large and extra large because we --
18 there was no way to apples to apples a one-page plan to a
19 50-page plan. So for the really little ones, we are at
20 1.4 weeks to turn them around. With the medium-sized
21 ones, we're at 1.4 weeks. The large plans, 2.5 weeks.
22 And the really big ones, 10 weeks. So when you're in that
23 extra large, you're up into the 60-, 70-sheet size plan.
24 So it's a hospital or a big high school or something like
25 that. So when you look at it that way, it's realistic

1 that that plan probably will sit there that long. There's
2 a lot of work in one of those sets.

3 They processed 2,130 sheets in the first six months.
4 So that's down just a hair from last year. Last year they
5 processed 4,412 sheets. So not a very big decrease
6 actually in the plan review workload over last year.

7 And then the last item is the most important to me
8 actually is vehicle accidents. And it's not a new one,
9 but I always look at this one.

10 The first six months we drove a little over a million
11 miles, and we had five at-fault accidents, four of them
12 were in the first quarter. So we tried to get people's
13 attention. And we only had one in the second quarter.
14 And we didn't have any in January again. So we're still
15 at five, which is way too many. We want zero there,
16 especially the at-faults.

17 We've had a couple accidents where we've been really
18 lucky our driver wasn't really hurt or killed. We had a
19 rear-ender here in Tumwater down at the Capitol where he
20 was making a left turn, and a guy hit him going 50 miles
21 an hour without ever touching the brakes.

22 Had the same kind of thing happen last week or week
23 before last over in Spokane with the supervisor over there
24 making a left turn and got hit rear-ended at about 40
25 miles an hour.

1 So we've had those over the years. And fortunately
2 we haven't had anybody really hurt yet.

3 Like the one here, both cars totaled. The following
4 driver went to Harborview intensive care for a long time.
5 I'm really not sure what his status is now. But he hit
6 the windshield; he wasn't buckled up. But we're really
7 lucky that we haven't had a major catastrophe with this.

8 We've had quite a few accidents actually that are not
9 at-fault, and usually it's because somebody runs a red
10 light on us or hits -- usually they're hit from behind.
11 That's the usual problem.

12 Of our five at-faults this year, four of them have
13 been because the inspector hit the mailbox. So nothing
14 significant on our end either, which is good news I
15 suppose, but it's still an at-fault accident.

16 It's an at-fault with us if that driver does anything
17 wrong. One of these -- the other one of the five was
18 because he misjudged where the curb was and hit the curb,
19 and there happened to be a piece of wood leaning up on the
20 curb with a nail in it and ripped the tire open. That's
21 an accident, and he was at-fault because he was too close
22 to the curb. That's how detailed the risk people get them
23 to. I mean, if you do something wrong, you're considered
24 at-fault basically. So it's all about judgement.

25 The other four were backing accidents. They backed

1 up into a mailbox basically. So we're trying to get
2 people to park where they don't have to back out. And
3 that's the goal is park your car when you pull up so you
4 don't have to back when you leave. Because you're in a
5 hurry and you're wanting to go to the next inspection, and
6 your mind's somewhere else. So little things like that
7 that we try to do with them.

8 So it's been really good. The last accident actually
9 was in October. So we've gone three months now without
10 having one at all. So that's good.

11 So those are all the new measurements, new
12 indicators. So it's another couple of pages long, but it
13 gives us a lot better breakdown I think on -- especially
14 central office what we do and how we're performing. So
15 it's going to help us a lot I think in the coming couple
16 of years now to know what this downturn's going to do to
17 us and how it's really affecting our productivity and
18 effectiveness for the customer.

19 So that is all I have for today, unless you have some
20 questions.

21 CHAIRWOMAN ASHFORD: I have a question, Ron. Going
22 back to licensing, we listened to PSI speak earlier.
23 Would there be a cost savings in the future to have PSI
24 handle licensing?

25 SECRETARY FULLER: Well, actually doing the

1 licensing, approvals and renewals is a -- that's a
2 contract issue. With the new laws that came into effect a
3 couple years ago now I guess, we have the ability to
4 contract it out, but there's a big process to do that. I
5 actually don't believe they can do it any faster than I
6 can do it right now because we're really fast. I mean, I
7 only have 11 staff today that does licensing, continuing
8 ed and a few other miscellaneous and the compliance
9 assignments. So that's all I have. And they're fast. So
10 I don't think they can do it faster.

11 The one thing that I'm really interested in with them
12 is the cards. Because the cards are all automated here
13 anyway. We push the button, and once a week it gets
14 printed out downstairs.

15 We actually shifted from printing cards twice a week
16 to once because it saves us \$40,000 a year. That's a
17 decision we made not too long ago.

18 But their cards are really nice. They look like a
19 driver's license. It's essentially identical to a
20 driver's license. And they do the color things. The
21 really cheap non-color one when I last checked was about
22 \$6 to do that.

23 The difficulty for us, again, is getting the existing
24 people in with their picture. There's different ways to
25 look at it. And it affects more people than just the

1 electrical program too because there's other people that
2 print licenses in here.

3 One of my thoughts on it was that we don't put the
4 pictures on the existing people, but we have them issue
5 the license with the right color on it. At least that's a
6 start. And in about 2040, everybody will have their
7 picture on it. So that's one way of looking at it.
8 That's the really easy way. The other way is to get them,
9 you know, when your renewal comes, you have to get your
10 picture to them.

11 So we've talked about, should we just let people send
12 an individual picture and trust that it's them or should
13 we make them go to the place and have their picture taken.
14 And we have 11 places, so driving from north of Colville
15 to the nearest place would be a drive. So there's some
16 real dilemmas there to talk about and think about.

17 Virgil.

18 BOARD MEMBER HAMILTON: Chief, I know I asked this
19 question before, but I don't remember what the answer is.
20 I know that down at the Washington State License, driver's
21 license people have teamed up with the passport people so
22 that you can get your passport put on your driver's
23 license. Is there still no way we can coordinate with the
24 driver's license people to get "Electrician Journeyman"
25 put right on your driver's license?

1 SECRETARY FULLER: That's correct at this point.
2 They don't do that. And we actually can't use their
3 pictures because of their laws. So no communication there
4 to do that.

5 BOARD MEMBER HAMILTON: That's too bad.

6 SECRETARY FULLER: And I'm not -- well, it is and it
7 isn't. There's pros and cons with that too.

8 In some ways it's like dealing with motor pool. One
9 of the reasons that we're having a revenue expenditure
10 problem is because of motor pool. Because we have no
11 control over what motor pool does. So they raised their
12 rates dramatically July 31st on me, and I didn't know it
13 was coming. The rates raised.

14 The State mail system are raising their rates on us.
15 And it's not the cost of living; I can tell you that for
16 sure. It's higher. Because they have that ability in
17 their laws to raise the rates. Not like I can; I'm
18 limited.

19 So those kind of things come at you. And it makes me
20 really nervous to -- I'd rather almost deal with the
21 private contractor than a state agency in that way.
22 That's my personal opinion. Because I can work with my
23 contractor, and I can't work motor pool necessarily or the
24 mail service. So those kind of things come at you from
25 the left field sometimes, not in a good way.

1 BOARD MEMBER HAMILTON: Thank you.

2 CHAIRWOMAN ASHFORD: Tom had a question.

3 BOARD MEMBER PHILLIPS: Thanks.

4 My understanding is that the L & I inspectors don't
5 inspect to the Energy Code and at the same time, the
6 Governor's been pushing for more stringent energy codes.
7 So there is a number of situations where they are
8 electrical installations only that are required to comply
9 to the Energy Code, but there's no enforcement going on
10 because there's no state agency out there looking at them,
11 or local agency either. So I'm wondering, would it be
12 worth looking at having the L & I inspectors enforcing
13 Energy Code and charging an energy code fee to some or all
14 or the applicable electrical permits that might increase
15 revenue and maybe prevent some of the inspectors from
16 being laid off and also enforce a code that is currently
17 not being enforced but seems to have a lot of interest by
18 a lot of people including the Governor?

19 SECRETARY FULLER: It's never been proposed as a
20 proposal. So if somebody brings it forward, we'd look at
21 it like any other proposal.

22 There's a lot there. Typically it's a building code
23 issue. It's not really an electrical safety issue. It's
24 all about building, what's in that building.

25 So like with smoke detectors, we regulate the how,

1 not the where. The Energy Code's the same thing. It's
2 not about the safety situation; it's about saving energy.
3 So that's why it's always been there.

4 Not to say it couldn't be done.

5 BOARD MEMBER PHILLIPS: Right, right. I think in
6 most cities --

7 SECRETARY FULLER: It would take some good
8 stakeholdering probably.

9 BOARD MEMBER PHILLIPS: In most cities, the
10 electrical inspectors end up looking at Energy Code issues
11 when there's no building inspector out there.

12 So just something to think about.

13 SECRETARY FULLER: And that is a big industry. I
14 mean, the lighting retrofit industry alone is really large
15 in this state.

16 One of the contractors that we've been dealing with
17 on some compliance issues -- that's getting a lot better
18 -- sent me some information a couple weeks ago that said
19 his company had basically -- they had saved several
20 hundred cars every year worth of energy just from lighting
21 retrofits. But some pretty dramatic numbers from one
22 single contractor on what they had done with energy
23 savings. Dramatic numbers.

24 A lot of that kind of business going on right now.
25 That's why a lot of our permits are \$80 now in that low

1 end. Because that's what they are is weatherization,
2 energy, retrofits, those kinds of things.

3 CHAIRWOMAN ASHFORD: Any other questions?

4 SECRETARY FULLER: One thing I should say I guess is
5 that legislation -- Steve didn't really get into the
6 bills. He said that the Department didn't have any
7 legislation this year. But the only two that really
8 relate to us so far very much that have gotten hearings
9 and looked like they have traction is a bill to increase
10 trainee hours from 16 hours to 48 hours per renewal cycle,
11 some amendments going on with that.

12 And the other bill is to allow the electrical program
13 subpoena power. So that one seems to have some support
14 too from senators and representatives. There's a Senate
15 and a House version of each of those bills. I think they
16 both -- in my opinion was they got well received in both
17 committees.

18 So that one's got an amendment or two going with it
19 too. One of the amendments is pretty out of the ballpark
20 left. But the one for subpoena power that I don't have
21 any concerns over is just that we run the subpoenas we
22 would issue by you every quarter so that you know what it
23 was, what was going on basically.

24 So both in my opinions would really help us out a
25 lot. It could raise the trainee quality up to have them

1 in the classroom a little bit more.

2 The subpoena bill -- obviously people, especially
3 some contractors are worried about abusing that. A lot of
4 people don't understand the difference between subpoenas
5 and warrants. A warrant means that I could go in and root
6 through somebody's files or their office. That's not what
7 a subpoena is. A subpoena really is just a request for
8 information. And bottom line is if you say you don't have
9 it, I'm going to say okay. But if I find out you did
10 later, then you're in contempt of court. That's what a
11 subpoena is.

12 So a very different -- it's really no -- a more
13 official letter of request is really what it is. It would
14 be a good tool for us for absentee administrator issues
15 and for permitting issues.

16 A typical example was if we walked up to a minimart
17 that's doing a lighting retrofit, the chain that's got 500
18 stores, and likely they're doing that retrofit in all 500,
19 and if we get cooperation, good. And we do sometimes.
20 Usually actually we get cooperation. But if we don't,
21 we'd be able to issue the subpoena letter and put them on
22 notice that we're actually wanting to know where the other
23 ones are and deal with that piece of the underground
24 economy.

25 So some very positive things to it.

1 And I can see where some people are nervous about it.
2 But when you really think about it, there's just barely
3 over 20 people in central office to handle paperwork of
4 any kind, and how much paper do I really want to get from
5 everybody in this state? So it's self-limiting in a large
6 way. So I don't think it's anything anyone has to be
7 concerned about unless they're trying to slide under the
8 radar.

9 I didn't look -- Tracy, do you have all the numbers?

10 BOARD MEMBER PREZEAU: I do.

11 SECRETARY FULLER: Because the members might be
12 interested in contributing your personal input to that as
13 representatives.

14 BOARD MEMBER PREZEAU: The subpoena power
15 legislation, the Senate Bill is 6492, the House version is
16 2555.

17 The increases trainee hours, the Senate version is
18 number 6728, and the House vehicle is 2546.

19 And I don't know if the Board is interested, but I
20 actually have a copy of the subpoena bill with the
21 amendment that references the Electrical Board.

22 (As read) "The secretary of the board must provide
23 the board with the following information before the
24 board's quarterly meetings, a list detailing all the
25 subpoenas that have been issued in the previous quarter,

1 why those subpoenas were issued, and the results of the
2 subpoena being issued. Any member of the board may
3 request a full discussion of any subpoena at the board
4 meeting."

5 CHAIRWOMAN ASHFORD: The other House bill, Senate
6 bill on the training, do you have that?

7 BOARD MEMBER PREZEAU: The amendment? I actually --

8 CHAIRWOMAN ASHFORD: The original proposed bill and
9 the amendment.

10 BOARD MEMBER PREZEAU: The original trainee bill in
11 the House is number 6728. And in the -- excuse me -- in
12 the Senate, 6728. In the House, 2546.

13 I gave the Chief a copy of the amendment that's
14 proposed right now to the trainee bill. I gave him my own
15 copy.

16 CHAIRWOMAN ASHFORD: I gave him mine too.

17 Would you like to read the -- do you have the
18 original bill and the amendment?

19 SECRETARY FULLER: No, I don't have them with me.

20 BOARD MEMBER PREZEAU: I have the bill, but I don't
21 know that you'll want me to read the whole thing.

22 I mean, it basically just strikes where it says 8
23 hours a year, 16 hours in a renewal cycle. And then --
24 that's all it does is increase the --

25 SECRETARY FULLER: Is this other one, the 2546

1 official yet?

2 BOARD MEMBER PREZEAU: I believe it is a draft
3 amendment. And I don't know that it's actually -- because
4 if they haven't -- if they would "exec" the bill out and
5 if they would -- they would vote on the amendment, and
6 then either "exec" the bill --

7 SECRETARY FULLER: 2546 is one that if this draft
8 amendment got included would be significant. And what it
9 basically does is allows a gas company to work on gas
10 appliances without regulation. And I would have
11 significant concerns with that. So furnaces, ranges and
12 ovens, water heaters, those kinds of things. So that's
13 potentially a problem for me. So that would be one that I
14 would suggest if you're interested, keep an eye on it.

15 CHAIRWOMAN ASHFORD: Any questions on those bills?

16

17 Item 7. Appeals

18

19 CHAIRWOMAN ASHFORD: Is Nancy back?

20 ASSISTANT ATTORNEY GENERAL REULAND: She is not. I
21 could e-mail her.

22

23 Item 7.B. Mitchel P Lajoie

24 ///

25 ///

1 CHAIRWOMAN ASHFORD: Okay. Well, do we want to go
2 ahead and -- you were going to take care of the Mitchel
3 Lajoie?

4 ASSISTANT ATTORNEY GENERAL REULAND: Sure. Can you
5 hear me? Is that better?

6 SECRETARY FULLER: No.

7 ASSISTANT ATTORNEY GENERAL REULAND: Can you hear me
8 now?

9 THE BOARD: No.

10 CHAIRWOMAN ASHFORD: Pam, do you want to just come to
11 the hot seat?

12 ASSISTANT ATTORNEY GENERAL REULAND: Good morning.

13 The appeal of Mitchel Lajoie was currently on the
14 agenda to be heard today. That was
15 Mr. Lajoie's -- hopefully I'm pronouncing that right --
16 appeal.

17 On January 27, 2010, Crystal forwarded to me a letter
18 from Steve Dixon who was representing Mr. Lajoie. It
19 looks like he may have just been taking over.

20 Anyway, Mr. Dixon indicated, "The purpose of this
21 letter is to inform you that neither Mitch Lajoie nor
22 myself nor anyone on Mitch Lajoie's behalf will be
23 appearing to contest the revocation of the license at the
24 hearing scheduled for tomorrow morning."

25 Since this was a little cryptic in terms of what they

1 wanted the Board to do with the appeal, I put a phone call
2 into the law office of Mr. Dixon yesterday afternoon when
3 we received this information. I got a message back from
4 Mr. Dixon's assistant on his behalf indicating that they
5 -- it is their intent to withdraw their appeal to the
6 Board.

7 So that's -- there wouldn't need to be any kind of a
8 motion to dismiss under those circumstances since they're
9 just withdrawing it. And then the citations will stand as
10 originally written.

11 And I believe as to the other appeal, that
12 Ms. Kellogg has negotiated a settlement with Mr. Lyle, and
13 that she is putting that together, and then she could
14 advise the Board of the terms of that. And Mr. Lyle also
15 indicated his agreement to that settlement.

16 Any questions?

17 CHAIRWOMAN ASHFORD: Thank you.

18 SECRETARY FULLER: We may need to take another break
19 until she comes back.

20

21 Other

22

23 CHAIRWOMAN ASHFORD: Well, we have some gentlemen
24 that have requested to speak. Joe Jacobs, Thomas Smith,
25 Scott Arnesen.

1 I'm assuming that it's all the same issue?

2 Welcome, gentlemen. If you would each individually
3 state your name and spell it please.

4 MR. JACOBS: Okay. My name's Joe Jacobs. J-O-E,
5 J-A-C-O-B-S.

6 MR. SMITH: Thomas Smith. T-H-O-M-A-S, S-M-I-T-H.

7 MR. ARNESEN: Scott Arnesen. Two T's.
8 A-R-N-E-S-E-N.

9 CHAIRWOMAN ASHFORD: Thank you.

10 MR. JACOBS: I'd like to give you a little bit of my
11 background.

12 In 1978 when I was in high school, I started in
13 electrical field in a supply house. In 1980 I went to
14 apprenticeship. I'm a journeyman wireman. I've done it
15 for 30 years now.

16 And why I'm here today -- what brought me here is
17 over licensing. And I've heard a lot of positive stuff
18 about licensing today and about where you're headed and
19 how you're changing it.

20 In my 30 years, this is the first time I've been
21 before the Board. And I'm kind of ashamed to say that. I
22 probably should have been here once or twice before to see
23 how this stuff works.

24 I have a concern on the safety with the times being
25 hard and with people doing electrical work that are really

1 untrained. You might refer to them as helpers. And I
2 think maybe with what's going on, if we could use some
3 legislation and do some brainstorming and try to toughen
4 the laws for apprenticeships and journeymen wiremen just
5 like you're doing here with the licensing and stuff to
6 maybe change it. And it looks like maybe lobbying would
7 be the way to do that.

8 When time gets hard, we oftentimes travel. Like I
9 carry nine licenses. I've had a photograph with my
10 license in the past board, send it in, keep our licenses
11 up like we're doing. I think the apprentice program is an
12 important part of that. And I think they ought to be
13 trained to do this and to be a part of it to see what it
14 takes. We need a little stronger restraint in my opinion
15 on people doing electrical work. When times get tough,
16 people go out there and think they're Mr. Electrician, and
17 they have no clue what they're doing. And they do side
18 jobs, they bid work, and they get work.

19 So why I'm here today is to let you know that we're
20 having problems with these issues. And I think where we
21 need to go probably is to the legislature and get some
22 more tougher laws for people doing electrical work that
23 when they get caught they get higher fines.

24 Also, if we had more apprentice instead of helpers,
25 you know, there would be a fee for that. We can raise to

1 get more money.

2 Something really needs to be done. There's a lot of
3 unemployed electricians out there and apprentices and a
4 lot of people doing the work and being understaffed and
5 under budget trying to find out where these people are and
6 catching them is a problem, and I think we need to maybe
7 have an area where we can focus on that and try to
8 alleviate that problem.

9 CHAIRWOMAN ASHFORD: You (addressing Board Member
10 Simmons) have a comment, and I'm sure Ron has a comment on
11 the underground economy.

12 BOARD MEMBER SIMMONS: Joe, a quick question. And
13 I'm trying to understand what you're getting at and make
14 sure that we're on the same page. Is what you're saying
15 is because the economy is bad and a lot of people are
16 unemployed, that they're out there doing side jobs without
17 licenses? Or are you saying people are employing
18 apprentices or helpers and sending them out on jobs alone
19 without supervision? Or what exactly are you saying? I'm
20 trying to nail it down here.

21 MR. JACOBS: Well, mostly it's helpers and people
22 without licenses. I'm sure there's some of the first too,
23 people with licenses doing side jobs.

24 For the most part I would believe and hope to think
25 it's people without the licenses are doing those type of

1 things.

2 Most of us who have license travel if we can to get
3 work. But the last couple years here in Washington has
4 been so fantastic work with jobs. It hasn't been a
5 problem until about a year ago. I guess last December it
6 just stopped.

7 And it's so bad that our union -- I've been union 30
8 years now -- has looked at starting a new type of program
9 called a CE or a CW. And that's somebody with 8,000 hours
10 who maybe hasn't passed the test yet, and to try to make a
11 new program to get them in and to get them trained or what
12 have you, have them become members and test. Also people
13 who don't have 8,000 hours, to see whether their place
14 would be in apprenticeship and to try to combat it.

15 I guess what I'm saying is I feel that there's a lot
16 of unlicensed people and helpers out there doing work
17 where if we had better qualified people, which we do have,
18 that are out of work right now, they could be put in those
19 positions, and those people could do the same thing I did;
20 they could get an apprenticeship and get their electrical
21 license and do it correctly.

22 BOARD MEMBER SIMMONS: Well, we're all for licensing
23 and having people be qualified to do the work. And that's
24 one of the main focuses of this Board. But I'm still
25 having a little trouble I guess following what you're

1 saying. All of us want people to be licensed and want
2 people to be qualified to do the job. I'm not sure
3 passing any other legislation or laws in addition to what
4 we currently have is going to circumvent people being
5 non-licensed out there doing work. You know, they're
6 required now to have a license by this state to be an
7 apprentice out on a job.

8 Again, I'm having -- and maybe it's just me. But I'm
9 having trouble following where you're going with this. If
10 we pass another law, what would the law say or do or
11 accomplish that we don't do already? Maybe that's -- and
12 -- okay?

13 CHAIRWOMAN ASHFORD: I know Virgil understands the
14 CE/CW position, so I'll defer to him.

15 BOARD MEMBER HAMILTON: Well, I'd like to just
16 interject, if I could, a little bit here, Joe, in your
17 conversation.

18 Chief Fuller's done a good job of battling the
19 underground economy over the last couple years. He's
20 really stepping up that effort. When instead of laying
21 off some inspectors when the budget said that we had to
22 have some layoffs, people got moved over to the ECORE
23 team, and we have battled the underground economy with the
24 ECORE team. And I'll let Chief Fuller explain that in
25 more detail.

1 But one of the things that you're hitting on here
2 that's not being said is -- our big problem in this state
3 -- is the 75 percent rule. Because every time an
4 inspector rolls onto a job site and they go to an
5 apprentice and say -- a trainee and say, "Where is your
6 journeyman?"

7 BOARD MEMBER SIMMONS: It's supervision.

8 BOARD MEMBER HAMILTON: "He's at the parts house."

9 And so the fact that we have the 75 percent rule
10 ensures that we probably have less than 25 percent on
11 residential projects and light commercial. And I'm just
12 guessing here, but we have a lot less than 75 percent
13 because we have the 75 percent rule.

14 I think that's one of the things we've talked about
15 at the union hall a lot.

16 And we have the ability in this state to go out and
17 work 8,000 hours and take a written examination and become
18 an electrician. And if the hours are not documented
19 properly -- you can actually get a license, and we've
20 proved that -- I think Farmers Electric proved that years
21 ago when the secretary got a journeyman license and never
22 did one hour of electrical work, just, you know, over the
23 course of four years documented time and took the written
24 test.

25 Within the IBEW starting in 2010 we're moving to a

1 hands-on test. You got to take hands-on test to become a
2 truck driver. You got to take hands-on test to cut hair.
3 And we're moving to a hands-on test in the IBEW. So
4 you're going to actually hook up more than a transformer
5 before we label you a journeyman electrician.

6 We kind of think that that is something that you need
7 to be able to prove you can do the work if you're going to
8 get the license.

9 BOARD MEMBER PREZEAU: I have a question for Ron. I
10 don't mean to take your gentlemen's time. But bringing up
11 the supervision requirement, we passed a -- refresh my
12 memory, Ron. We passed a WAC rule that had to do with
13 that supervision component and it had to do with if a
14 trainee was seen performing work outside the supervision
15 of their journeyman that there was going to be some
16 affidavits or a log book. Was that WAC rule part of the
17 changes we just implemented so we don't really have an
18 opportunity to analyze the effectiveness of that? Or do
19 we have some -- do we have some -- do we have more
20 information we can share?

21 SECRETARY FULLER: That's part of -- we call it the
22 hall pass. That's part of the last one. And I just wrote
23 myself a note to check and see how that's going. Because
24 if the inspectors aren't using that tool, that's not good.
25 We gave it to them as a tool to be able to --

1 What we did basically -- for you guys' information --
2 is the inspectors now have the ability if the journeyman
3 is supposedly at the wholesale house, hand the trainee a
4 document that says, Fill this out and have it back to us
5 within 24 hours with the journeyman's signature that he
6 was actually at the supply house during this time frame.
7 And if they submit it, and we find out that it's false,
8 they perjured themselves and they're both eligible for
9 citations. The trainee would also be eligible for losing
10 some hours.

11 So it was just a tool that we did in rule to try to
12 help circumvent the miscellaneous trips that people were
13 taking and try to get them to actually be on the job site.

14 The Board has been I think really proactive in this
15 endeavor too because -- I know the years fly by. But we
16 had a case in here a year or maybe two ago now where the
17 Board decisively said what had thought all along is that
18 it's not just 75 percent supervision during the day; it's
19 on the job site. We actually had a case where I think the
20 job site was only 2 hours long. And they tried to use the
21 argument, Well, the other 7 or 6 hours he was supervised.
22 Well, that doesn't cut it because he was out doing work on
23 a Class 1 septic pumping station alone for two hours, and
24 that was unacceptable, and so we cited the trainee for
25 that and the company and the administrator, and they

1 appealed and lost.

2 So we've set some pretty good precedent for this kind
3 of thing over the years. But until it's 100 percent
4 supervision, there's always going to be an enforcement
5 problem. And that's -- I think that's really the crux of
6 what I'm hearing from you today is that they have that
7 opportunity to do things that they're not supposed to do.

8 The trainees are in a real dilemma we found because
9 they're told to do it, and if they don't, they go down the
10 road. So they're caught between a rock and a hard place
11 also.

12 Our practice is typically actually trainees usually
13 get a warning for the first time, then the company gets
14 the citations and the administrator. If we catch the
15 trainee again, then sorry, he gets the citation too. So
16 we try to be pretty proactive and yet have a somewhat
17 gentle hand on the trainee because they're being told what
18 to do. We realize that it's a big problem for us is the
19 supervision.

20 CHAIRWOMAN ASHFORD: Scott, you had a question or
21 comment.

22 MR. ARNESEN: Yeah. I just wanted to add on a little
23 bit, elaborate possibly also our point.

24 My name's Scott Arnesen. I'm a journeyman wireman.
25 Right now I'm out of Coos Bay, Oregon. I did my

1 apprenticeship in Saint Pete, Florida. I turned out in
2 2000. I live in Longview, Washington. I've been there --
3 I think I'm going on eight years now.

4 I don't have -- I only got six licenses. I don't
5 have as many as Joe.

6 But the point we want to bring you guys attention to
7 what's going on in the IBEW and in this area specifically,
8 what's happening with the CE and CW classification can
9 potentially undermine the apprenticeship program in the
10 entire state of Washington because of the fact you guys
11 have the trainee certificate option here. And my
12 understanding from what I've been told through the IBEW
13 and what I've heard today is that a trainee can --

14 You guys are going the right direction by this House
15 Bill 2546 by requiring more classroom education. That's
16 the right direction, but I think it's still lacking.
17 Potentially a trainee within the IBEW -- and perhaps this
18 is our dirty laundry -- but 48 hours or whatever the
19 requirements are, they could progressively become what the
20 three of us are here and Brother Virgil over there and Rod
21 are journeymen wiremen, which is a 01 classification in
22 the state of Washington, and not only will it possibly
23 undermine the entire apprenticeship program, but I think
24 it can affect the integrity of the electrical industry in
25 the state of Washington also at the same time.

1 So what we're hoping here today is to bring attention
2 to this -- to all of you to keep this on your radar to add
3 more continuing education requirements for trainees and to
4 protect your apprenticeship programs.

5 I'm not familiar exactly, but I know recently there's
6 apprenticeship legislation to lower the dollar amount or
7 raise it -- I believe lower the dollar amount that is
8 required on a job that would require the use of an
9 apprenticeship program, and I'm not familiar; I don't have
10 my stuff with me. But it's stuff like that that, you
11 know, you have to -- you got things coming in from all
12 different angles and, you know, this might not seem like
13 much and that might not seem like much, but when you put
14 them all together, they're drastic and all in the wrong
15 direction.

16 So I think our intent today is to, you know, educate
17 you guys, or at least tell you about what's going on, and
18 hopefully you guys will keep a lookout and protect the
19 interests of our future, which is the apprenticeship
20 programs, and therefore, maintaining the integrity of the
21 electrical industry in Washington state.

22 CHAIRWOMAN ASHFORD: Just a comment. I'm not sure
23 if you fully understand what the CW/CE classifications
24 are. And this really isn't the forum for us to go into
25 that. I know the IBEW is sending out a lot of information

1 on that.

2 But is your main focus the underground economy at
3 this point and those that are out doing electrical work
4 that are not properly licensed?

5 MR. JACOBS: That's just one portion. But the safety
6 factor out there, and to try to educate people to -- maybe
7 like a one-in-three apprenticeship ratio, something along
8 that line.

9 The concern is that we're going to be out of work and
10 -- or continue -- it's like we're being attacked. And
11 we're having our hands tied. We can't seem to do a whole
12 lot about it. And what we want to do is just to be able
13 to maintain our livelihood and work.

14 We work very hard doing the licensing and going
15 through the test and doing our part to be comparable with
16 all the licenses there. And it seems like there's a lot
17 of unlicensed people and unqualified people doing that
18 work, yes.

19 So I can't narrow it down to one specific thing.
20 It's kind of everything that -- I don't know how to
21 explain it very well.

22 BOARD MEMBER SIMMONS: So are you saying that we
23 shouldn't have trainees? Is that your point? Or are you
24 saying everybody should be an indentured apprentice? Is
25 that your point? I'm really having trouble --

1 MR. JACOBS: Yes, that's my --

2 BOARD MEMBER SIMMONS: -- following you, sir.

3 MR. JACOBS: -- main point is I think everybody --

4 BOARD MEMBER SIMMONS: Why don't you just say that

5 then. I'm having trouble here.

6 MR. JACOBS: -- should be either an apprentice or a

7 journeyman wireman, a superintendent. Definitely defined.

8 A helper is too broad of an area in my opinion. It's

9 somebody who's not really in a program; they got a little

10 experience. It's a unsafe position. They need to be

11 educated properly with OSHA 10 laws and rules, the WAC

12 rules, just like we have.

13 We've gone through schooling. We continue our

14 schooling. We continue our education. And 16 hours is a

15 great start like what was said earlier, but it's just not

16 enough.

17 CHAIRWOMAN ASHFORD: Well, we really don't have a

18 helper classification. We have a trainee card and an

19 indentured apprentice. And both of them require

20 licensing. And either one requires at this point 8 hours

21 of classroom instruction per year during the renewal

22 cycle. If the legislation passed, then it would be 24

23 hours per year.

24 Okay. Tracy had her hand up. I think Virgil had his

25 hand up.

1 Would you --

2 BOARD MEMBER PREZEAU: Well, I was actually going to
3 ask a similar question that the Vice Chair asked because I
4 just wasn't -- and I appreciate -- I mean, obviously the
5 three of you have -- share a similar passion for the
6 industry that everybody at this table shares in wanting to
7 make sure that we uphold the integrity of the industry.
8 For you guys to be here today, I appreciate that.

9 BOARD MEMBER HAMILTON: I was just going to comment
10 just for your knowledge that we did try to get rid of the
11 trainee classification and have only apprenticeship in
12 this state. And we did fail at that several years ago.

13 And to combat the underground economy and the people
14 working out there without licenses, that's where we're
15 heading down this road. And at some point we will get to
16 where every electrician has to wear their electrical
17 trainee certificate or journeyman certificate visible with
18 their picture, and it will be color-coded whether they're
19 a journeyman or apprentice. So that's where we're
20 getting, which will aid the inspectors in doing their job
21 with compliance.

22 We've been working with the Chief, and we've passed
23 legislation, and we're working on, you know -- you sat
24 through and listened to the new people we're talking to
25 about administering the exam, and a lot of that's going to

1 take us down that road. So when we get to a visible
2 license, we'll be able to combat the underground economy a
3 lot.

4 Then we'll go to a situation where we educate the
5 public that if you're hiring an electrician, they have to
6 wear a visible license so you know you've got a licensed
7 electrician or not. Because the average customer, they
8 don't know if they have a licensed electrician. They
9 don't know if they have a licensed trainee. They don't
10 know if the journeyman's around or if they're stuck with
11 just the trainee or apprentice the whole time; they don't
12 know. So we're going to participate in educating the
13 public.

14 So that's the path we're headed down to try and fix
15 things up.

16 CHAIRWOMAN ASHFORD: I know Rod had a question or
17 comment. Would you like to tell these gentlemen who you
18 are?

19 BOARD MEMBER BELISLE: Yeah. I am a training
20 director with a apprenticeship program. So obviously you
21 can see where my interest lies.

22 You know, the one thing I thought was interesting,
23 and I've heard this 100 times, and it just struck me just
24 now. I attend a lot of apprenticeship council meetings.
25 As a trainee -- we hear this a lot that a trainee's on the

1 job site; oftentimes they're forced to do something that
2 they know is not in compliance, but if they don't do it,
3 they're down the road, you know. Or Ron kind of made that
4 point. And as I'm sitting here, I realize -- you know, I
5 attend an apprenticeship council meeting or apprenticeship
6 JATC meeting once a month. And if we have an apprentice
7 that's in trouble, we can't just send them down the road.
8 It doesn't happen that way.

9 Every apprentice has rights. They have to come in
10 front of the apprenticeship council. They have to state
11 their case. There's a discussion that's had. And every
12 apprentice is given 22 days' notice to be able to have
13 corrective action on their whatever they've done wrong,
14 failed a test, performed badly at work, what have you.
15 And each council is going to be slightly different, each
16 apprenticeship program. But I think kind of the gist of
17 it is every apprentice has a place to be represented.

18 And so if they're put in a position where they can't
19 be in compliance, the employer doesn't have the ability to
20 simply say, "Do it or you're fired." That doesn't happen
21 with an apprentice.

22 But with a trainee, they have no sounding board, they
23 have no representation. I'm sure there's probably some
24 higher authority they can go to. But they've never
25 probably been trained in rule and law, you know. I know

1 they've attended eight hours hopefully within their first
2 year.

3 But, you know, maybe that's kind of at the crux of
4 this enforcement is an apprentice you can't do that. You
5 can't simply take advantage of them and kick them aside if
6 they're not going to do it your way. They have rights and
7 they have appeal rights. Whereas a trainee essentially is
8 on their own, and if they don't like the way it's done,
9 they're down the road.

10 Maybe it's a piece of the pie that we're missing here
11 is giving that trainee some reporting method where they
12 can assist in enforcement if they're being taken advantage
13 of, basically to Joe's point.

14 BOARD MEMBER HOWELL: What is the difference between
15 a trainee and an apprentice?

16 BOARD MEMBER BELISLE: An apprentice is indentured to
17 an apprenticeship committee. And so the apprenticeship
18 committee is responsible for making sure that they're
19 getting adequate training. The employers that employ that
20 apprentice have to be trained in what their
21 responsibilities as an employer are. They can lose that
22 privilege of having that apprentice if they don't treat
23 them right. And that apprentice has -- essentially they
24 have appeal rights. So before they can be just simply
25 kicked out of their employment, they have to be told what

1 they did wrong and opportunity for correction.

2 A trainee is somebody who's hired, and if you don't
3 like the way they perform, you fire them.

4 BOARD MEMBER HOWELL: A trainee -- so an apprentice
5 then is basically -- it's a union program or --

6 BOARD MEMBER BELISLE: No. It's not union or
7 non-union. It's a on-the-job training with a related
8 training component that's required.

9 A trainee simply can get their license through
10 on-the-job training, affidavits being signed that they've
11 met this requirement. And currently they have to attend
12 eight hours of code-related training per year.

13 BOARD MEMBER HOWELL: So can a trainee then evolve
14 into the apprenticeship program? Is that their next
15 logical step they need to go to?

16 CHAIRWOMAN ASHFORD: Let's go back a step. Rod is
17 the training director in Oregon. And their state operates
18 a little differently than the state of Washington. The
19 state of Washington does have accredited apprenticeship
20 programs. The IBEW is the larger focus, but there are
21 other approved accredited apprenticeship programs within
22 the state. So we --

23 BOARD MEMBER SIMMONS: They're union and non-union
24 apprentices. And they are indentured. They work under a
25 certain company, a certain job, et cetera, et cetera.

1 Okay? The difference is a trainee can simply walk -- a
2 person -- you can walk down to L & I's counter right down
3 here and say, "I want to be a work for ABC Electric. I
4 want to be a trainee," pay your money, walk out with a
5 card. You are now a trainee. It's that simple.

6 So they're totally different. They're not
7 necessarily interconnected. A trainee does not
8 necessarily ever become a quote/unquote "apprentice."
9 They can work in the field and never work as an indentured
10 apprentice.

11 Does that make sense?

12 BOARD MEMBER HOWELL: Yes. Thank you.

13 CHAIRWOMAN ASHFORD: The IBEW apprenticeship programs
14 you must apply for.

15 Flip a coin. I think the hands went up at the same
16 time.

17 BOARD MEMBER HAMILTON: Well, I'd just like to -- you
18 were hitting on it, but you didn't quite say it. Since
19 we're kind of in the general education discussion here,
20 just so you know, on a public money job, a prevailing wage
21 job, a trainee has to be paid a journeyman scale, a
22 journeyman prevailing rate. You have to be a registered
23 indentured apprentice to be paid less than a journeyman on
24 a public money job.

25 CHAIRWOMAN ASHFORD: We need to kind of wrap this up.

1 MR. ARNESEN: To also go along with your initial
2 question to Rod about the trainee apprentice difference,
3 Jim was elaborating -- and correct me if I'm wrong -- in
4 the state of Washington you do have standards that require
5 if somebody is in an indentured apprenticeship program,
6 they have to do like 160 hours of education a year.

7 A trainee, well, it depends on House Bill 2546, I
8 think that's only 16 or 24. So there's a big difference.
9 160 hours a year, 24.

10 And that's one of the things that we want to
11 enlighten you guys about. Within the CE/CW program,
12 potentially a trainee who should not be compared to
13 apprentice standards-wise requirements for education-wise,
14 potentially can become through the CE/CW program a
15 journeyman -- wireman is what we call them -- a journeyman
16 electrician in the state of Washington 01.

17 So you have somebody that could go however long it
18 takes them to get 8,000 hours in 24 years -- (inaudible)
19 -- as opposed to an apprentice, 160 hours of school a year
20 and they will get on-the-job training.

21 So our point is to educate you guys or to enlighten
22 you, that we need more apprenticeship standards. We need
23 more stringency on the trainees because of their potential
24 to go from, dare I say, a zero to a hero kind of metaphor.
25 Okay? From a trainee to a journeyman.

1 CHAIRWOMAN ASHFORD: Thank you.

2 We need to wrap this up, so any last quick comments/
3 questions?

4 MR. SMITH: Getting back to this issue with the
5 CE/CW, this is a new program that our International is
6 trying to introduce in what they call the Ninth District,
7 which includes Alaska, Washington, part of Northern Idaho,
8 Nevada and California and Hawaii. This program will
9 undermine the status of our journeymen wiremen and our
10 apprenticeship programs in the standards.

11 We both -- all three of us feel that we need to take
12 -- keep the laws intact that we currently have here in the
13 state of Washington.

14 I've been a electrician since 1988. I've had all my
15 journeyman licenses in this state. I've had about 30
16 years in the trade at this point in time. I hold three
17 licenses. And I also served in an apprenticeship here in
18 Washington state out at Local 46.

19 I find this very important that we make sure that we
20 maintain the quality, the actual ability of our
21 electricians in this state to make sure that they do a
22 proper job. Because it's a life-safety issue when we're
23 dealing with electrical power in any project that we work
24 on. We want to make sure that there are qualified,
25 competent people available to do the work. And like you

1 said earlier, the general public in a lot of these
2 instances, they hear "electrician," and they think, "Oh,
3 they're qualified." Well, that's not the case.
4 Technically there's supposed to be a contractor that goes
5 out and works for these people, not somebody doing a side
6 job or somebody who has a trainee's card. We want to make
7 sure that the standards are upheld and there is a means by
8 which we can regulate and enforce the rules and the laws
9 that we currently have and try to increase the standards
10 to maintain a certain quality or level of experience and
11 training that's necessary to perform this work properly in
12 a safe manner that doesn't jeopardize either the
13 homeowner, the landlord or the general public.

14 CHAIRWOMAN ASHFORD: Thank you, gentlemen.

15 Geoff, it has to be quick because we have an appeal
16 waiting.

17 BOARD MEMBER NEWMAN: CE/CW, can you explain that?

18 MR. SMITH: Yeah. What they're talking about, the
19 International is the ones who proposed this. And I have a
20 copy of what they proposed.

21 CW is a person that has 2,000 hours or less working
22 in the trade. A CE -- and that's "construction worker."
23 A CE is a --

24 UNIDENTIFIED SPEAKER: Construction wireman.

25 MR. SMITH: Or "construction wireman," excuse me.

1 Correct.

2 A CE is a "construction electrician" who has 8,000
3 hours. They may or may not have passed the state exam,
4 and they haven't passed the IBEW's exam or -- (inaudible)
5 -- to be in apprenticeship. And what they're talking
6 about doing with these people is bringing them in at a
7 lower wage scale below what we do to do the same work on
8 work that we currently don't have contractors bidding on.
9 Okay? Unless the contractors start bidding on this work,
10 we won't get that work to begin with. Okay? Typically
11 it's stuff like fast food restaurants, small retail, strip
12 malls and that type of thing.

13 BOARD MEMBER NEWMAN: This is a competitive measure
14 for the IBEW to compete against merit or open shops.

15 MR. SMITH: That's absolutely correct.

16 BOARD MEMBER NEWMAN: That's a market industry deal
17 rather than a compliance or a licensing type deal.

18 MR. SMITH: Right. But we're concerned about the
19 compliance issue when --

20 BOARD MEMBER NEWMAN: But I think that there's
21 different scopes of work: construction wiremen,
22 construction electrician.

23 MR. SMITH: Yes, there are.

24 BOARD MEMBER NEWMAN: So it's like an 80 percent gig
25 or something. If you can't -- (inaudible) -- versus the

1 other.

2 MR. SMITH: That's correct.

3 BOARD MEMBER NEWMAN: So it's a competitive measure.

4 MR. SMITH: Yes.

5 MR. ARNESEN: Let me interject.

6 CHAIRWOMAN ASHFORD: Excuse me. I'll go -- this
7 really isn't the forum for us to discuss the CE/CW. This
8 is something within the IBEW industry that's been
9 discussed. There's no legislation forward for another
10 licensing classification that would encompass that.

11 So I'm going to ask you to cease from that discussion
12 at this point. So if you have anything relative to the
13 current licensing that we have?

14 MR. SMITH: I guess basically we want to maintain the
15 structure that we got. We don't want it changed. If
16 anything, increase the regulation, increase the number of
17 hours for the training for all people in all classes.

18 BOARD MEMBER HAMILTON: And there's no changes at the
19 State level required for the IBEW to introduce the CW/CE
20 program. We're not changing anything at the State level.

21 MR. JACOBS: That's correct, Virgil. We agree with
22 that.

23 But what we're trying to do is set higher standards
24 so it helps equal the playing field and everybody be
25 treated the same.

1 CHAIRWOMAN ASHFORD: Thank you for your participation
2 this morning.

3 MR. JACOBS: Thank you.

4 MR. SMITH: Thank you.

5 MR. ARNESEN: Thank you.

6

7 Item 7.A. Bruce Lyle

8

9 CHAIRWOMAN ASHFORD: We have an appeal pending.

10 Mr. Lyle, I hope you didn't find your morning wasted
11 but you learned something.

12 MR. LYLE: I appreciate everything I've heard. It's
13 nice to meet you all. I've learned an awful lot. And I
14 had some questions that I needed to address about issues.

15 Go ahead.

16 ASSISTANT ATTORNEY GENERAL KELLOGG: Beforehand, the
17 appeal that --

18 CHAIRWOMAN ASHFORD: Excuse me for just one moment.

19 Mr. Lyle, could you remove your hat please.

20 MR. LYLE: Oh, I'm sorry. No problem.

21 CHAIRWOMAN ASHFORD: And for the court reporter -- I
22 know it's simple -- but would you spell your name for us
23 please.

24 MR. LYLE: B-R-U-C-E, L-Y-L-E.

25 CHAIRWOMAN ASHFORD: Thank you.

1 ASSISTANT ATTORNEY GENERAL KELLOGG: And we have come
2 to an agreement. We have a signed agreement.

3 CHAIRWOMAN ASHFORD: Nancy, would you speak into the
4 microphone please.

5 ASSISTANT ATTORNEY GENERAL KELLOGG: I'm Nancy
6 Kellogg with the Attorney General's office representing
7 the Department.

8 In this appeal, the parties have come to an
9 agreement, and it's been reduced to writing.

10 Should I give a copy of this to you or to the
11 advisor?

12 CHAIRWOMAN ASHFORD: Pam?

13 ASSISTANT ATTORNEY GENERAL REULAND: Oh. I think you
14 can sign that directly.

15 Were you going to summarize that?

16 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes.

17 The agreement -- this is a non-renewal of Ideal Signs
18 electrical contractor's license. And the basis is because
19 there were pending citations that had been unpaid.

20 The agreement is that the Department will withdraw
21 the unpaid citations. The appellant withdraws his appeal.
22 And the appellant then has the option to renew the
23 license.

24 CHAIRWOMAN ASHFORD: And Mr. Lyle, you have agreed to
25 it?

1 MR. LYLE: I think that's very fair, yes.

2 ASSISTANT ATTORNEY GENERAL KELLOGG: Thank you.

3 CHAIRWOMAN ASHFORD: Thank you.

4 And again, I hope you found some value in your
5 morning.

6

7 Other

8

9 MR. LYLE: Then I had some subjects that we needed to
10 talk about.

11 I'm sure that you know Jim Hinrichs in Everett. He's
12 one of your electrical inspectors.

13 I've talked to him several times even in front of an
14 Electrical Board meeting in the Puget Sound -- in the PUD
15 building about lit signs in the Goldbar/Monroe area that
16 do not -- that are electrical lights that are in it. And
17 he said that he was going to do something. And this is
18 four years ago, and he hasn't done a thing about it.

19 (Showing pictures to the Board) Another one is this
20 Prospector Tavern. You can see the wires hanging out on
21 the side. You can see that it's a lit sign. And he
22 hasn't done anything about it. This is a UL-approved
23 sign. It's supposed to be approved by UL. He hasn't done
24 a thing about it. And if you have an electrical sign,
25 you have to have a UL label on your sign. He hasn't done

1 a thing about it.

2 (Showing more pictures to the Board) Here's another
3 set that I have addressed him, and he hasn't done
4 anything.

5 Now, what do you do about the inspectors that go out
6 to inspect these, and they don't do anything? How do you
7 fine them? Do you fine them? Or do you just say it's
8 okay? How do you go about doing this?

9 CHAIRWOMAN ASHFORD: Mr. Fuller.

10 SECRETARY FULLER: First of all, I'd like to get --
11 do you got a list of addresses and everything?

12 MR. LYLE: Yes, I do.

13 SECRETARY FULLER: I'll look into that and make sure
14 that something happens if it's appropriate.

15 I'm quite surprised because that's -- Everett is
16 actually one of the more compliance-prone offices that we
17 have.

18 MR. LYLE: I'm sorry, but --

19 BOARD MEMBER SIMMONS: If you know Jim Hinrichs,
20 that's very true.

21 MR. LYLE: I'm sorry, but I've been talking to him
22 for the last four or five years about this, and he's
23 ignored it. "Oh, yeah, we'll go out there and see about
24 it. We'll go out and do it." But he hasn't done anything
25 about it. And I'm sure after four years you'd have enough

1 time to do something about it.

2 SECRETARY FULLER: If you would, just give me a list
3 of addresses. And if you know the approximate dates of
4 installation, or who did it even, that would be good.

5 MR. LYLE: Yeah. BB&T did the one. And I don't know
6 who did the -- they probably did their own at the pizza
7 place.

8 I don't know who did this (indicating), but this
9 definitely is not a kosher wiring job. I've been in it
10 for 35 years. I would never do anything like that.
11 That's just asking for trouble.

12 SECRETARY FULLER: Before you leave the building
13 today, I'd like to have you talk to my compliance
14 supervisor, Faith Jeffries. She was in here earlier, but
15 she's not here now. But we'll get you tied together with
16 her and do some investigating.

17 MR. LYLE: (Showing more pictures to the Board) And
18 then this is a guy that's doing moonlight sign
19 installations on neon and plexiglass. And I do not
20 believe this man is licensed. However, he's installed an
21 electrical neon sign at the Monroe -- MCC Monroe Community
22 -- it's a shopping center there.

23 And I have some names and numbers of people that are
24 not licensed because of these people saying, "Well, it's
25 tough times." Well, that's not my fault. You're supposed

1 to go through the channels and get your license and do
2 what's right. And if you're out there moonlighting, then
3 that's wrong.

4 There was an apprentice that was installing wiring,
5 dug a ditch to this tire shop in Marysville and installed
6 the wiring. He was just an apprentice. He didn't even
7 have a journeyman license. And he's out there doing that
8 work.

9 Now, they went over there and they closed it down.
10 They did their job. The journeyman -- I mean, the
11 inspector seemed to be doing their job. But it seems like
12 they're letting us down too. They should be doing their
13 job.

14 CHAIRWOMAN ASHFORD: Well, thank you, Mr. Lyle, for
15 bringing this to the attention of the Electrical Board and
16 Mr. Fuller.

17 And as he said, before you leave the building, please
18 get together with him and he will introduce you to Faith
19 Jeffries.

20 MR. LYLE: I'm sorry, I'm not trying to cause any
21 grief or water, you know, to shake up the water, but I
22 just would like to --

23 CHAIRWOMAN ASHFORD: Well, every legitimate
24 contractor and wireman sitting in this room, we want
25 everybody to comply.

1 MR. LYLE: Yeah, I was at this one tire shop, and the
2 guy comes in, "Well, I'm not a licensed electrician, but
3 I'm doing electrical signs."

4 And I says, "Really. That's not right. You
5 shouldn't be able to get out there and do it."

6 I didn't get his name and number. I'm sorry.

7 Have a great day. And I will wait for you
8 (addressing Mr. Fuller) and we can get this taken care of.

9 Thank you for your time.

10 CHAIRWOMAN ASHFORD: Thank you. That's the agenda
11 items that we had. Anything for the good of the order?
12 If not, I'll entertain a motion to adjourn.

13

14

Motion

15

16 BOARD MEMBER TURNER: So moved.

17 BOARD MEMBER PREZEAU: So moved.

18 BOARD MEMBER: So moved.

19 BOARD MEMBER BELISLE: Everybody.

20 CHAIRWOMAN ASHFORD: Anyone opposed? So moved.

21

22

Motion Carried

23

24

(Whereupon, at 11:50 a.m.,
proceedings adjourned.)

25

