

1 DEPARTMENT OF LABOR AND INDUSTRIES  
2 STATE OF WASHINGTON

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ELECTRICAL BOARD MEETING

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TRANSCRIPT OF PROCEEDINGS

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Thursday, July 26, 2007

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BE IT REMEMBERED, that a quarterly Electrical Board meeting was held at 9:00 a.m. on Thursday, July 26, 2007, at the address of the Department of Labor & Industries, 7273 Linderson Way S.W., Tumwater, Washington before CHAIRPERSON GLORIA ASHFORD and BOARD MEMBERS JIM SIMMONS (Vice Chair), TOM PHILLIPS, PHILIP PARKER, DAVID JACOBSEN, DON KOPCZYNSKI, FRED TRICARICO, DAVID A. BOWMAN, BRYAN DAVIS, TRACY PREZEAU, GEOFF NEWMAN, DON GUILLOT, DAVE GOUGH and SECRETARY/CHIEF ELECTRICAL INSPECTOR RONALD FULLER. Also present were ASSISTANT ATTORNEYS GENERAL DONNA EMMINGHAM representing the Board and SHELLEY MORTINSON representing the Department.

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WHEREUPON, the following proceedings were held, to wit:

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

23

EXCEL COURT REPORTING  
16022-17th Avenue Court East  
Tacoma, WA 98445-3310  
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Thursday, July 26, 2007  
Tumwater, Washington

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Agenda Item

Page

6

|    |   |   |    |
|----|---|---|----|
| 7  | 1 | Approve Transcript of July 26, 2007, Electrical Board Meeting | 3  |
| 8  |   |   |    |
|    |   | Motion  | 3  |
| 9  |   | Motion Carried  | 3  |
| 10 | 2 | Departmental/Legislative Update                               | 23 |
| 11 | 3 | Budget & Secretary's Report                                   | 3  |
| 12 | 4 | Certification Quarterly Report & Examination Development      | 33 |
| 13 |   |   |    |
| 14 | 5 | Interstate Reciprocity  | 62 |
| 15 |   |   |    |
|    | 6 | Policy Advisory Committee Update                              | 69 |
|    |   |   |    |
|    |   | Motion  | 77 |
| 16 |   | Motion Carried  | 78 |
| 17 | * | Other   | 82 |
| 18 |   | Motion  | 91 |
|    |   | Motion Carried  | 91 |

19  
20  
21  
22  
23  
24  
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## PROCEEDINGS

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CHAIRWOMAN ASHFORD: Good morning, everybody. The July 26, 2007, Electrical Board will now commence.

Item 1. Approve Transcripts of April 26, 2007, Electrical Board Meeting

CHAIRWOMAN ASHFORD: The first order of business is to approve the April 26th meeting minutes.

Motion

BOARD MEMBER PREZEAU: So moved.

BOARD MEMBER: Second.

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

THE BOARD: Aye.

19 CHAIRWOMAN ASHFORD: Opposed? So moved.

20

21 Motion Carried

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23 Item 3. Budget & Secretary's Report

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25 CHAIRWOMAN ASHFORD: The Departmental update, Patrick

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1 is late, so we'll go on to item number 3, the Budget and  
2 Secretary's Report.

3 Ron.

4 SECRETARY FULLER: Good morning. And in your packet  
5 is the Secretary's Report. The electrical fund balance  
6 through May was \$13,972,194. So the fund is still -- even  
7 with the fee reductions that we did in January, the  
8 revenue is still outstripping the expenditures slightly  
9 every month. So we're -- we have done a rule change to  
10 extend the fee reduction on permits for another 12 months.  
11 So through 2008 it looks like we will have the fee  
12 reduction in place.

13 The customer service paragraph in the Secretary's  
14 Report, we're just -- we still continue to grow in our  
15 e-Commerce. We're up to 72 percent of all of our permits  
16 sold now are done on-line. Just really big numbers on the  
17 e-Commerce.

18 We're actually getting ready to start a new project  
19 now too to rewrite our QuickCard system and eliminate the  
20 old CRIS system which is where we have our contractor  
21 database and electrician information. That's a two-year  
22 project. We're working with the contractors program and  
23 all the other programs in Specialty Compliance,  
24 consolidate some of our programs into one bigger simpler  
25 program hopefully that will work a lot faster for

5

1 processing licenses and doing renewals on-line and those  
2 kinds of things. So it's a big project for us that we're  
3 heavily invested in.

4 The Internet technology that we've gone to in the  
5 last couple of years with the IS folks has actually slowed  
6 some of our processes down on-line internally. So for  
7 licensing processing, it actually takes a little more time  
8 now than it did a couple of years ago. But this rewrite  
9 should eliminate all of that and speed us up some more.  
10 So we're really looking forward to getting into that one

11 and moving forward.

12 I haven't approved any new testing labs this last  
13 quarter.

14 The performance measures are in the Secretary's  
15 Report. Last year, we were at 84 percent of our  
16 inspections within 24 hours. 47 percent of all of our  
17 compliance citations were to the targeted issues for the  
18 underground economy.

19 Electrical licensing. We still have a one-week  
20 backlog on turn-around time for licenses right now. We're  
21 trying to get that down. It's actually -- right now it's  
22 actually almost two weeks. And the reason is because of  
23 the well driller legislation that was passed last year, we  
24 are having to process all those manually because of the  
25 technical issues that we have with our computer system and

6

1 doing a joint license with the plumbing section. And we  
2 have actually received almost three times the number that  
3 we estimated we would get. So the good news is that  
4 they're complying with what the law said. The bad news is  
5 that we underestimated how many would comply based on our  
6 previous experience with open windows and grandfathering  
7 and those kinds of things. So we're pushing 2,000  
8 individuals and contractors now with the well drillers in  
9 that scenario doing the combo license with the plumbers.  
10 So it's really exciting in some ways, but it's really  
11 draining our resources for license processing.

12 Class B labels. From April to June, we received  
13 8,083 back. We didn't write very many corrections again.  
14 Out of all of those that we inspected, we only wrote 19  
15 corrections. So not very many corrections were issued  
16 again.

17 The systems -- we have implemented a GPS pilot  
18 project now. We've put 40 GPS units in 40 of our state  
19 rigs for inspectors across the state. Most of them are in  
20 Spokane, a couple of them up in the Okanogan area, Mount  
21 Vernon office, Tukwila, Bellevue, Port Angeles and  
22 Bremerton is where they're all located at.

23 The focus right now is on safety. So we're using it  
24 as an evaluation tool. It is really just a pilot so that  
25 we can find out if there's any ways that we can use it as

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1 a management tool to help us be more effective. But  
2 primarily we wanted to use it as a safety tool to raise

3 the inspectors' awareness when they're driving.  
4 One of the problems we've had this last year is  
5 accidents. We've had -- we've gone from seven to 13  
6 at-fault accidents in the last year. Seven the year  
7 before; 13 this year. And that's unacceptable to us to  
8 have that many at-fault accidents. So hopefully we can  
9 get the inspectors' awareness a little higher about their  
10 driving habits and they'll be a little safer behind the  
11 wheel so that we make sure they stay safe.

12 The project is basically one year. We bought the  
13 devices and the service for a one-year period. And in  
14 January we'll be working up a preliminary report and do a  
15 final report on the pilot in June next year. And if it's  
16 successful and is beneficial to us, then we'll probably be  
17 going forward with a budget request next year to fund the  
18 rest of them and continue funding the ongoing cost because  
19 there's an ongoing charge every month for connectivity of  
20 the data transfer. But a pretty exciting project for us,  
21 though.

22 Just to add on to the Secretary's Report, in your  
23 packet, you've got the Electrical Currents for the last  
24 three months. One of the exciting ones I think is in the  
25 July issue. The headline article is doing inspections for

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1 the Suquamish tribe. We met with them -- the regional  
2 administrator and I did -- about three weeks ago -- three  
3 or four weeks I guess now -- and they've agreed to have us  
4 do all of their electrical inspections on the reservation  
5 up in Suquamish. If you're unfamiliar where that's at,  
6 it's up kind of south of Keystone, in that area. They  
7 have the Muckleshoot -- no, not the Muckleshoot. What's  
8 the name of their casino? The west end of Bainbridge  
9 Island is where they're at. It's a fairly large  
10 reservation, and they've asked us to do the electrical  
11 inspections for all the facilities on it, whether it's  
12 housing or tribal facilities, and do the electrical  
13 compliance also. So that's a huge request for them to do  
14 that. That's not normal on the reservations.

15 BOARD MEMBER SIMMONS: Who has been doing them?

16 SECRETARY FULLER: They've been doing them  
17 themselves. The tribe actually has master electricians on  
18 staff and certified electricians. They just wanted to get  
19 out of the business. I think it was a little bit --  
20 they're looking at some really large growth in the next  
21 couple of years, and they didn't feel like they could

22 handle it I think is one of the primary reasons.

23 CHAIRWOMAN ASHFORD: Can you handle the staffing?

24 SECRETARY FULLER: I think we can. Because we've got  
25 somebody there now that has to skirt around it. So this

9

1 will give us an opportunity to drive through and do  
2 something while we're driving through basically. So I  
3 think we'll be able to handle it okay.

4 So it's exciting, though, to be able to have that  
5 kind of an opportunity.

6 Also on that issue, we've got the upcoming  
7 stakeholder meetings listed. These are just the ones  
8 through September.

9 We're doing stakeholder meetings statewide a little  
10 differently this year. We've spaced them out more than we  
11 have in the past. Usually we cram them all into the fall  
12 and do seven or eight or ten. This year we're spacing  
13 them out, and we've I think got close to 18 scheduled for  
14 the state between now and next May. So we're hitting just  
15 about all of the offices between now and May. So we'll be  
16 posting these announcements as time goes on. We don't  
17 want to alert somebody now to a meeting that's going to  
18 happen in December.

19 But a little bit different format. We're going to do  
20 three-hour programs instead of two hours. So we're going  
21 to be starting at 6:00 and going until 9:00. The regions  
22 are going to be using an hour of it for regional  
23 discussion issues, and the Chief's office will have an  
24 hour, and then we've got an hour totally dedicated to  
25 questions and answers at the end of the meeting. So a

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1 little bit different format.

2 The other interesting Currents is the June issue.  
3 It's the yellow one in your folder. It's about generator  
4 transfer switch options. This one is a little different  
5 than we normally do too because we directed the whole  
6 Currents really toward owners, whether they be homeowners  
7 or commercial owners. It lays out all the different ways  
8 that you can install a generator system and be legitimate.  
9 It gives you some of the pros and cons of the different  
10 types of methods. And hopefully it'll be read and  
11 received by a lot of owners who are interested in putting  
12 optional standby systems in their houses and their  
13 businesses. It's really important that we do those right

14 so that we protect Don's folks out when they're working on  
15 the lines in the street. Because if they put one of these  
16 in wrong, it can be extremely dangerous for the linemen.  
17 They're probably more at risk than anybody from a bad  
18 installation.

19 So this newsletter was generated off of some  
20 discussions we had with some representatives and Senators  
21 from the east side King County area where they were out of  
22 power for extended periods of time, two or three weeks at  
23 times this last winter. And people were scrambling trying  
24 to get generators installed and doing things as easily as  
25 they can.

11

1 So this is our response to how can you do it legally.  
2 So feel free to share this one with whoever you want to  
3 share it with. Because I think it's really important that  
4 this one, that we can get it out to homeowners and people  
5 that are potential buyers of generators. It's really an  
6 important one.

7 BOARD MEMBER PREZEAU: Ron, if I could interrupt, I'm  
8 glad you said that. Because I have a friend of mine that  
9 works for Pierce County and deals with setting up, making  
10 sure that neighborhoods are prepared for emergency  
11 situations. So comes in and they have a -- you know,  
12 recruits -- people from the neighborhood to come together,  
13 know your neighbors, and have an emergency response team.

14 And so she wanted to do a piece on generators.

15 And I said, "You don't have to do the piece. It's  
16 already done."

17 And so I shared this with Pierce County Emergency  
18 Response coordination. And so I just wanted to -- because  
19 I thought it was a great newsletter. I thought it was  
20 fantastic.

21 SECRETARY FULLER: I think it came out really well  
22 too. We tried to lower the language level and get rid of  
23 the buzz words and make it understandable to people that  
24 are not electricians by nature so that this gives them  
25 some ways to make decisions that they don't normally have.

12

1 So it's a very good one I think too.

2 BOARD MEMBER GUILLOT: Ron, if I could add, I do also  
3 appreciate this for our industry. Because from time to  
4 time I do talk to people that buy these new generators. I  
5 tell them what the effect of if you get a backfeed. They

6 have no idea.

7 SECRETARY FULLER: Right. And it's posted on our web  
8 site so people can go in and print it off. So feel free  
9 -- it's another way to get people to look at the web site.  
10 Use that tool because there's a lot of information on  
11 there.

12 One of the other things that we turned on yesterday  
13 is an appliance repair page in response to some of the  
14 appliance repair folks talking about what's hard wired and  
15 what's a cord, you know, what's the difference. The  
16 homeowners really don't understand a lot of times. So we  
17 stakeholdered that with one of the most compliant and  
18 legitimate electrical appliance contractors that we have,  
19 and he liked what we have. So it again is really directed  
20 toward the homeowners and gives them a way to at least  
21 start now. And we're going to be expanding on it to tell  
22 who's a legitimate contractor and who's not, what can they  
23 do and what can't they, do they need a permit or don't  
24 they, those kinds of questions.

25 So we're going to try to move the web site in that

13

1 direction. Because that's -- right now with resources,  
2 that's probably the most effective way we've got to reach  
3 out to the homeowners is that web site. Because we do get  
4 a lot of hits on those from people that are -- you can  
5 just tell by the numbers sometimes where your audience is.  
6 And a lot of our hits are from customers, not the  
7 contractors.

8 Also in your packet is Ron's review for this month.  
9 The second paragraph's the sad one. We're losing Dave  
10 Myers. The good news is Dave got a really nice job being  
11 business manager of the Kelso Local IBEW. But yesterday  
12 was his last day, so we're recruiting for that now.

13 So anybody that knows of a good likely candidate for  
14 technical specialist, the job's posted as of this morning  
15 on the L & I web site for employment. So feel free to  
16 encourage people to apply for that. Because you all know  
17 as Board members how important that position is to the  
18 program. So we're really interested in getting a good  
19 quality candidate for that one.

20 Also this month, we've finished off our final draft  
21 of our strategic guide for the next couple of years. I'm  
22 going to have Brandi e-mail that to you because it's like  
23 a 22-page document or something. But what it does  
24 basically is line out all of the jobs that we have

25 scheduled for the next two years to reach our goals and

14

1 help us be a little more efficient and effective. A lot  
2 of time line things in there, and how to do better  
3 recruitment and hiring, how to be more consistent, how to  
4 get the inspectors trained, all those kinds of things that  
5 are in a strategic plan.

6 We called it a guide because it's -- we have a plan  
7 for the agency, so we wanted to name it a little bit  
8 differently. But it's a really solid document on giving  
9 us direction and just -- if nothing else, laying out  
10 exactly when and who is responsible for getting us to  
11 certain steps along our time frame.

12 The FY08 score cards are done now. That's all set  
13 up. It's pretty much the same score card as we had last  
14 year. There's a couple of minor tweaks to it. One of  
15 them was that we have a -- on our correction reduction  
16 initiative where we had the two targeted groups of  
17 contractors, we've got a cumulative number line on our  
18 score card this year.

19 And we also have regional targets now for our  
20 response time for inspections. Before, we just had a  
21 statewide target and we reported out the regional  
22 responses, but we didn't have an actual target. So all  
23 the regions have their own specific goal now to reach. So  
24 it's a little finer tuned than it was last year.

25 The Correction Writer initiative was really

15

1 successful. I want to talk about that one for a minute I  
2 think here.

3 We reduced the 15 percent of contractors who had the  
4 most corrections per inspection from a little over 2.5  
5 corrections per inspection down to I want to say it was a  
6 1.6 for the yearly total. And that included the two  
7 months where they had the 2.5. So a huge reduction in  
8 percentage for them. Not a lot in quantity. But what it  
9 did was get that group that had a lot of corrections on  
10 every job we went to to improve their job sites.

11 The other group, 15 percent with the most in  
12 corrections, were the groups that included typically the  
13 big contractors who did a lot of jobs, got a lot of  
14 inspections, and as a result got a lot of corrections just  
15 because. They started out at a little over half of a  
16 correction per inspection. But they wound up at just

17 barely over .4. So again, a huge increase in percentage.  
18 And they actually reduced the number of corrections by a  
19 lot because they had volume. Altogether, that project  
20 probably saved us the equivalent of about two FTE's just  
21 on reinspections. I mean, huge improvements and with very  
22 little resource applied to getting it done.  
23 So we've started a new group. This month is their  
24 first month. Some of the people that are on those groups  
25 may be back again; I don't know. I haven't looked at that

16

1 to see. But we're going to be doing the same thing.  
2 The good news was that this year, instead of 2.55 for  
3 the one group, their highest -- their average is 1 -- it's  
4 about 1.7 I think. So that whole group disappeared from  
5 the end. The bad -- you know, the bad installers. Just  
6 disappeared.  
7 The big group with lots of corrections because of  
8 volume moved from a .55 to a little over .4 again. So  
9 probably a lot of the same players on that one again. But  
10 the good news is is they've reduced theirs by 20 percent  
11 also. So really good news on that whole project. So  
12 we're hoping that they can do probably not as much as they  
13 did percentage-wise last year, but still a healthy  
14 improvement. So we're going to keep working with them, be  
15 a little more proactive this year with keeping them  
16 involved and in the know and the process, maybe help them  
17 a little more with training inspectors -- or not  
18 inspectors, training the installers and getting them to do  
19 a better job and have a little more responsibility  
20 themselves. So very exciting on that part of it.  
21 CHAIRWOMAN ASHFORD: Any one or two items that stand  
22 out as what is written up over and over again for  
23 correction?  
24 (Whereupon, David A. Bowman  
now joined the proceedings.)  
25 ///

17

1 SECRETARY FULLER: Two things. Number one, which  
2 surfaced during this project that we never had before as  
3 being the number one by far, like four to one: No access  
4 to inspections, covered prior to, can't find. Totally  
5 useless corrections. That one correction means an  
6 automatic reinspection because we couldn't do the  
7 inspection for one reason or another. So it's people

8 calling before they're ready, not giving us good  
9 instructions on how to get there. For whatever the  
10 reason, we get there -- we either get there or we can't,  
11 and we can't do the inspection. So it's not like it's a  
12 bad installation; it's just bad managing from the  
13 contractors. So that's the big one.

14 CHAIRWOMAN ASHFORD: Have you started your August  
15 Currents? Because that would be a good topic for August  
16 Currents. And that could also help reduce correction  
17 notices.

18 SECRETARY FULLER: That's on our agenda to do.  
19 The number two one is what used to be number one  
20 still is 110-3(b) in the NEC: Doesn't follow  
21 manufacturer's instructions. So either they throw them in  
22 the garbage, or they don't understand the manufacturer's  
23 instructions. That's the number two.

24 And then everything pretty much tails off beyond  
25 that, and it's just a big mix of different issues. But

18

1 those are the two big ones. And both of those in my  
2 opinion are totally uncalled for.

3 I mean, call for the inspection when you need it, and  
4 get us there with good directions. That's easy. Should  
5 be. And the other one is read the manufacturer's  
6 instructions before you put the stuff in.

7 So both of those are just uncalled for corrections.  
8 If we could eliminate those, we'd probably save about five  
9 or six FTE's. That's how big they are. We're talking  
10 thousands every month of those. Thousands.

11 BOARD MEMBER SIMMONS: Ron, one of them there that  
12 you talked about was no access. And that's an ongoing  
13 challenge with us and our customers. And we've talked  
14 about this at past Board meetings.

15 You know, we call in for the inspection, trying to  
16 coordinate with an inspector that can only communicate  
17 with you between 8:00 and 8:30 in the morning, and  
18 communicating with the homeowner, trying to see what date  
19 can you be home; well, we don't know what day the  
20 inspector can come for sure. It's a tremendous challenge,  
21 and it's part -- a small part of that description that you  
22 had.

23 I'm not -- again, I don't have an answer. But it's  
24 something that really needs to be worked on somehow to try  
25 and allow some way of communicating with the inspector so

1 we can talk to the inspector possibly and say, "Look, this  
 2 lady can be home Thursday. Can you do it Thursday?" Or  
 3 "I don't know how to do that." Maybe a person in the  
 4 office that's working and overseeing the inspectors'  
 5 schedules and the areas they're in that we can talk to  
 6 possibly? You know, because we can usually contact the  
 7 owner on the phone.

8 The problem is we don't know what day the inspector  
 9 is going to be there for sure. And people have taken a  
 10 day off to have work done in their home. And then we tell  
 11 them, "Look, we've got to get an inspection on this."

12 And they go, "You what? I've got to take another day  
 13 off, and I've got to do this?"

14 It's very cumbersome for people. And I don't know  
 15 the answer. But it's -- you know, looking at it from our  
 16 customer's perspective and customer's point of view, it  
 17 can be pretty onerous to try to get an inspector in there  
 18 sometimes.

19 SECRETARY FULLER: I know it can. And that's one of  
 20 the reasons why I'm always really pushing hard on the  
 21 response time. And we're at 84 percent within one day of  
 22 the inspection request. So I can pretty much guarantee  
 23 statewide that we're going to be there the next day after  
 24 you call. But that doesn't help them schedule a day off.

25 But if you have -- you know, what I'd suggest for the

1 contractors is to maybe not just enter the request; enter  
 2 it for a specific day. If it's today, and you want to  
 3 schedule with your homeowners to do it on Monday, schedule  
 4 it for Monday. Because you've got that ability now as  
 5 contractors to do that, to schedule it out ahead. And  
 6 then you make that call to the inspector. And even if you  
 7 can't get them today, you can get them the next morning.  
 8 And try to arrange that. Because we do do a.m./p.m.  
 9 appointments. We don't do a time, but we'll do a.m. or  
 10 p.m. with you. And if that day doesn't work, then  
 11 everybody shuffles their schedule and does it on a day  
 12 that they can.

13 In general, we're trying to get the inspectors in all  
 14 areas every day now. That's very different than we did  
 15 even two years ago. It used to be every inspector had two  
 16 areas. They went east one day, west the next day. And  
 17 that in -- especially in the urban areas has pretty much  
 18 been eliminated now so that the inspectors are hitting

19 their whole area every day. That'll never happen in  
20 Okanogan or Colville. It just -- that won't happen there.  
21 The people there know what days they're going east and  
22 west, so there's not generally as big of a problem with  
23 it.  
24 But I totally understand what you're talking about.  
25 It just takes both of us working together to make it

21

1 happen. Because you don't want to have to -- we don't  
2 want to have to miss the inspection because we can't get  
3 in, and you don't want to have to set it up again either.  
4 So it takes both of us to make this successful.  
5 CHAIRWOMAN ASHFORD: Ron, can I go back to the  
6 transfer switch issue?  
7 SECRETARY FULLER: Uh-huh.  
8 CHAIRWOMAN ASHFORD: This is great information, but  
9 it's June. Could this possibly be republished  
10 October/November, and could we work with some of the local  
11 media to get the word out? I know a couple of the local  
12 stations have what they call problem solvers, et cetera.  
13 We typically have storms, what, November/December/January  
14 around here. We were ones that had the power out for over  
15 a week. But that's when this information will really come  
16 to the forefront. And maybe something in the stores that  
17 sell generators at the last minute. A thought.  
18 SECRETARY FULLER: I think we can look into that at  
19 that point.  
20 I think maybe Don and Don might be very helpful on  
21 this one too from the utility aspect. Because likely you  
22 would be able to actually get the media attention faster  
23 than we could. But I'm willing to do that. But we could  
24 just run it again as a special edition. I wouldn't  
25 necessarily even have to spend a lot of money reprinting

22

1 because it could just be posted again for people to get  
2 at. I think that would be very appropriate I think.  
3 That's a good idea.  
4 BOARD MEMBER SIMMONS: I wonder if the utilities  
5 would be willing to -- every utility bill I get has some  
6 information in it on this and that. And maybe a condensed  
7 version of that. You know, maybe we could get them to  
8 throw it in with the power bill.  
9 SECRETARY FULLER: I'll call the PUD association and  
10 see what they say. Maybe they will.

11 BOARD MEMBER SIMMONS: Thank you.  
12 CHAIRWOMAN ASHFORD: Do you want to take a breather  
13 and bring Patrick up?  
14 BOARD MEMBER PREZEAU: Can I just ask one more quick  
15 question?  
16 On the budget, the \$13 million number, does this  
17 reflect the purchase of the GPS systems? Has that gone  
18 against this number already? Is that pending to impact  
19 the financial --  
20 SECRETARY FULLER: No, it hasn't. Because that was  
21 through May. But it's not going to change.  
22 The GPS was only \$42,000 for a whole year's worth.  
23 And including buying the equipment.  
24 BOARD MEMBER PREZEAU: Yeah, I thought it would be  
25 more than that.

23

1 SECRETARY FULLER: No. No, it was very minimal.  
2 The fund balance should stay pretty much static.  
3 Maybe even grow another \$100,000 at the end. So typical  
4 at the end of the biennium. June was the last month. So  
5 that's when we try to spend everything down. So June --  
6 it may drop the fund \$100,000 or something. But we want  
7 it to be at zero. And I think -- correct me -- Patrick  
8 can maybe correct me -- but I think we're almost exactly  
9 on zero this year for the program. It is really close.  
10 It's the closest we've ever been to zero, which is good.  
11 We want our allotment to be at zero, no variance.  
12 CHAIRWOMAN ASHFORD: Any other questions?  
13  
14 Item 2. Departmental/Legislative Update  
15  
16 CHAIRWOMAN ASHFORD: Okay, Mr. Woods, we want to get  
17 you back to work as soon as possible.  
18 MR. WOODS: Thank you, Madam Chair. It's always good  
19 to be on the hot seat here.  
20 For the record, Patrick Woods for the Department of  
21 Labor and Industries.  
22 Just a couple of things I just wanted to emphasize.  
23 One is a thank you to Tom and all of the subcommittee  
24 on policy. I know you met yesterday, and this was your  
25 second meeting.

24

1 And I know that Tracy, you were a part of that. And  
2 Don and Fred and Dave were also part of it. And Jim, you

3 were on that too.

4 So I know this is additional work. You've got your  
5 own Board meeting that you take care of, and to do the  
6 subcommittee was even more difficult.

7 Being a part of those meetings last year, we went  
8 through at least over a dozen. They can be very  
9 polarizing and challenging meetings. So I just want to  
10 thank you for all the hard work that's gone into that.

11 In addition, I wanted to just emphasize a couple of  
12 good things.

13 I kind of always have been kind of a Pollyanna. But  
14 I do believe it's important to emphasize the good things  
15 that you're doing. The electrical program is the model.  
16 I mean, I've been around state government since 1983, and  
17 I've seen lots of different programs and different  
18 agencies. But just what you've got here today. I mean,  
19 people with background and experience and understanding  
20 and the language that you talk among each other gives  
21 those of us that aren't really up on all the electrical  
22 issues a sense of stability and knowledge that it's going  
23 to be done correctly, whether it's the generator issue  
24 from the line person that's out there, one of our  
25 apprentices in -- it would be those from that part of our

25

1 program -- or be it the electrician or the homeowner, that  
2 we're trying to do the right thing. And from my years in  
3 the legislature, that's what people look towards. They  
4 look towards experts putting their expertise into practice  
5 to help the public. And you're the examples of that.

6 A couple of things that Ron mentioned that we're very  
7 enthused about. One is the e-Commerce. You're a leader.  
8 We've gotten additional funds -- it's over \$2 million --  
9 to get your system working even better. Challenges we  
10 always expect. New computer systems work faster, better,  
11 quicker, but we add so much more onto them so that they  
12 tend to be slowing down. This we believe is going to get  
13 us back up operating and move us into the mobile computing  
14 in a way that will really make our inspectors even more  
15 efficient.

16 The other thing that Ron mentioned in his report that  
17 I'm excited about is quality, the quality of the  
18 inspection. Not only the speed and how rapid it is, but  
19 the quality of the inspection that you know it's being  
20 done right. And that's a key issue.

21 The other one on the Correction Writer, this is a

22 model for many of our other programs. The idea behind it  
23 -- Ron and I chatted kind of some years ago -- how would  
24 we like it if a business said, "I like doing business with  
25 L & I?" Now, we had Jim come to one of our off-sites, and

26

1 that's not what he told us when we were there. This is  
2 like four years ago. We have had other people come from  
3 business and from labor saying, "You know, you're not the  
4 easiest people to deal with." And this is something that  
5 needs to change. And we've tried to do that.

6 I think this is a good example. They get a lovely  
7 letter from Ron who tells them, you know, "You're one of  
8 the poorest contractors for corrections in the state."

9 Now, I know that's probably putting it --

10 SECRETARY FULLER: We don't say it quite that way.

11 MR. WOODS: But the idea is, you know, "Welcome to  
12 the club. You're the bottom 100 or the top" -- however  
13 you look at it -- "the most corrections in the state.

14 Now, would you like to change that?"

15 And it was really modeled after something we did  
16 there back in the factory assembled structure program. We  
17 had complaints from all of the -- we review all the plans  
18 for the factory assembled structure programs in --  
19 sometimes in the Northwest because we deal with Idaho,  
20 Oregon, and B.C.

21 And we had people saying, "We're leaving the state of  
22 Washington. We don't want to do business here. It takes  
23 six weeks to get a plan reviewed, 70 percent are rejected,  
24 and you go back into the mix again. It just doesn't  
25 work."

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1 So we said, "How can we work best with business?"  
2 And what we did was we set up a quality control system.  
3 Today we approve 89 percent or 90 percent of plans first  
4 time through without any compromise in quality. And  
5 instead of six weeks, it takes two weeks in general.  
6 There are some times it goes over because of cycle and  
7 code changes.

8 But that has changed the industry very dynamically.  
9 We've had a new -- several new that are looking -- moving  
10 into this state. But it's changed the dynamic, and that's  
11 exactly what we wanted to do.

12 The dynamic that is different: we used to get calls  
13 from the manufacturer saying, "Why aren't our plans

14 reviewed?"

15 Now, the manufacturers get a call from us saying,  
16 "You know, you're sending in plans that are not up to  
17 speed. Can you come up for training?" Or we'll say,  
18 "We'll go train your people to make sure that it's done  
19 right the first time."

20 This really is the same type of principle, trying to  
21 make sure that the person who is doing the corrections is  
22 doing it right.

23 The three benefits to this from my perspective: one,  
24 public safety, if the person is doing it right the first  
25 time. We're not going to get every correction every time

28

1 on every inspection. We do 300,000 inspections per year.  
2 It's one of the biggest inspection agencies in the state.  
3 But with this, if you're doing it right the first time,  
4 you're probably going to do it right in lots of areas that  
5 we're not seeing too. So you're doing a good job.

6 Two, it saves the contractor. They don't have to go  
7 back out and make the correction. So if I'm the CEO or  
8 the foreman or the superintendent, I'm going, "Why are we  
9 going out doing these corrections? Let's do it right.  
10 You're costing me money. That's \$50,000 I could put into  
11 your benefits and your pay and other things if you do it  
12 right."

13 The other thing is that it helps us with our  
14 inspectors. As you know, with our inspections, we're  
15 trying to help our inspectors. They're doing over 11  
16 inspections per day. We're trying to make sure that  
17 they're not in a situation where they're hurried or they  
18 feel flustered. Because when this happens, poor  
19 inspections, accidents, and injuries occur. That's why  
20 the GPS is so important.

21 That GPS is geared to safety. I want to make sure  
22 that our inspectors from Okanogan to Tukwila are safe.

23 We had one inspector in Yakima that had a condition.  
24 We were lucky we got him. He was in a basement. We've  
25 had other inspectors that have been threatened. We want

29

1 to make sure that they have access for help if there's  
2 something going on. It's a difficult time to be a public  
3 servant in certain areas. And those are the things that I  
4 want to make sure we're doing everything we can to protect  
5 them.

6 A couple of other issues that I'm excited about. One  
7 is the five percent fee reduction. I don't think -- I  
8 think that's a first in state government. I can't  
9 recollect any other agency that has reduced fees by five  
10 percent or kept them at five percent reduction two years  
11 in a row. So I think it's a real credit to your program.

12 Meanwhile, our budget for May I see a balance -- as  
13 Tracy mentioned -- is at \$13.9 million. That's a big  
14 change from where we were back in 1998 with \$3 million  
15 looking at perhaps going into the red. And I think that's  
16 the difference in managing the funds strategically, and  
17 you have been a key part of that.

18 A couple of things I am worried about. One is the  
19 safety of our inspectors. I am worried that we are  
20 working them very hard. We want to make sure that they're  
21 safe and that they enjoy working. I want to see them  
22 coming to work excited about being with L & I. Because if  
23 they're excited about being with L & I, when they come to  
24 your site to do the inspection, it's a lot more pleasant  
25 experience for everybody. And I want to make sure that

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1 happens.

2 The other thing I am concerned about is the growth in  
3 the -- at least the indications of the cities are looking  
4 at taking on their own inspections. Because I know they  
5 can be driven from lots of different issues. They may  
6 want a one-stop shop. They may want funding. They may  
7 want -- all the different things, the dynamics. It ends  
8 up costing us -- because we've become a balkanized system,  
9 and as Ron mentioned, you've got to work around a certain  
10 area. That's difficult. Are you in? Are you out? It's  
11 confusion for the customers. It's more cost to the  
12 contractor and more time because you could do it on-line  
13 with us.

14 We've done some individual things. Auburn and we  
15 have another one that --

16 SECRETARY FULLER: Shoreline.

17 MR. WOODS: Shoreline -- that kind of worked with us.  
18 We tried to accommodate their issues.

19 But that's something that may take our attention in  
20 the years to come to make sure the integrity of the system  
21 we built is maintained. Because I do believe we've got a  
22 great system.

23 And then also Ron mentioned Dave Myers. We're all  
24 going to miss Dave. He was tremendous. He was a great

25 help. When Ron was gone or Doug was away, he was somebody

31

1 I could go, "What does this mean? What do we need to do  
2 about this issue?" So that is going to be a real loss.

3 So we're hoping that we have excellent candidates  
4 coming in.

5 Any questions, Madam Chair?

6 CHAIRWOMAN ASHFORD: Going back to individual  
7 municipalities handling their own inspections, did we ever  
8 find out why Tukwila --

9 MR. WOODS: We did have a closing conference with  
10 them. And Ron was a part of that.

11 Do you want to share, Ron, the issues?

12 SECRETARY FULLER: The primary issues for Tukwila  
13 when we sat down and talked to them afterwards was in  
14 their eyes to do one-stop shopping for all of their  
15 permitting processes, whether it's their plan reviews,  
16 their site development submittals, contractors permits or  
17 whatever. That was the bottom line for them is that they  
18 were really interested in that one-stop shop aspect. They  
19 didn't know that we might be willing to consider an  
20 Auburn/Shoreline kind of agreement. So I think -- you  
21 know, they're going to evaluate and look at it and see if  
22 that may work for them in the future. They did say they  
23 would do that. But they are -- when we met with them --  
24 it's probably been six weeks ago or so now -- they were  
25 already in the recruitment process for an inspector. They

32

1 didn't have a full inspector's workload. That was one of  
2 their dilemmas. But as with all cities, you know, one of  
3 the things I think was probably in the back of their mind  
4 was that they'll use that person half time as building  
5 inspector. Because one of their qualification  
6 requirements was to get building official status too. So  
7 -- and that's what a lot of the smaller cities do with  
8 their electrical inspectors. They only have a part-time  
9 load for electrical, and then they use them as building  
10 inspectors or electrical maintenance people or whatever  
11 else the city can use them more. So it helps them justify  
12 FTE's.

13 The deed was done by the time we found out about it  
14 with Tukwila. We didn't have advance warning with them to  
15 step in and try to negotiate with them in advance. It's  
16 done now.

17 The other good news, though, it looks like Aberdeen  
18 is going to be coming back. So there's always that flux.  
19 It's not that we're doing a bad job; it's just that things  
20 change and people's ideas change.  
21 You know, Tukwila is planning for what they have a  
22 vision for, and that's the direction that they went in.  
23 So hopefully we can work with them in the future again and  
24 maybe start doing the inspections there again.  
25 MR. WOODS: One good aspect of that is that even

33

1 though they're not in our system, we do open our training  
2 still to the local municipalities for their inspectors.  
3 So from a contractor point of view, hopefully it's as  
4 seamless as it can be. We want to make sure that they're  
5 at least up to the standard that we have our inspectors  
6 at.  
7 I don't know. Are we still able to do that, Ron?  
8 SECRETARY FULLER: Uh-huh.  
9 MR. WOODS: Any other questions, Madam Chair?  
10 CHAIRWOMAN ASHFORD: Anyone have any questions?  
11 Apparently not.  
12 Thank you.  
13 MR. WOODS: Thank you very much.  
14  
15 Item 4. Certification Quarterly Report &  
16 Examination Development  
17  
18 SECRETARY FULLER: I'm going to ask Doug to do the  
19 next one actually. I'm just going to have a peaceful day  
20 here I hope.  
21 MR. ERICKSON: Madam Chairman, members of the Board,  
22 good morning. My name is Doug Erickson. I'm an  
23 electrical technical specialist. I work here in the  
24 Tumwater office for Ron.  
25 He asked me to put together a report I guess about

34

1 exam scores. And having not been at the last couple of  
2 Board meetings, I wasn't sure about the intent of this.  
3 But I tried to put together something that would give you  
4 a representation of what would happen if we changed our  
5 exam passing rate from 70 to 75.  
6 This issue has been discussed with our reciprocal  
7 partner states at the last two reciprocal states meetings  
8 at our annual meetings. And some states have a statutory

9 mandate within that group to have a 75 pass rate. The  
10 majority -- it's a small majority have a 70 established  
11 exam pass rate.

12 The results of those discussions are that to get a  
13 exam score, you can adjust your exam scores and your pass  
14 rates simply by adjusting the questions. It's not about a  
15 percentage of right and wrong answers. It's really about  
16 what political failure rate are you willing to accept. If  
17 you're failing too many electricians, you're going to get  
18 pressure to do something to get your pass rate up. And I  
19 think all of us acknowledge that. It's kind of an  
20 arbitrary number that gets set out there. It sounds good  
21 to elevate it from 70 to 75. It sounds like you're  
22 turning up your program a notch and making the hurdle a  
23 little bit higher, but ultimately you're going to look at  
24 the change in the pass rate. That's what determines  
25 whether it's a good thing or it's a bad thing.

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1 And I don't know if you have a full concept of what  
2 we went through when we took over the examinations when we  
3 got rid of the testing service that was providing that for  
4 us. But we assembled questions from all of our  
5 stakeholders, from apprenticeship programs, from training  
6 schools, everybody that -- CEU providers. We asked for  
7 questions to be donated, and everybody in the training  
8 industry was willing to contribute questions. They like  
9 the idea of part of their training material showing up on  
10 our examinations. It's just good for their business.

11 So we then surveyed all of our reciprocal partner  
12 states and our own internal stakeholders and compiled the  
13 results of those, weighting those other states that  
14 provide regulation and license or certified electricians,  
15 weighting them a little higher because their opinions and  
16 experience deserved a little more weight. We combined  
17 this into an exam blueprint, and we asked in a very linear  
18 method going through the code book which of these sections  
19 do you deal with most often, and when you deal with them  
20 which of these sections or issues are the most important.

21 So we asked them from two angles: How often do you  
22 use it? And when you use it, how important is it for  
23 safety? And not surprisingly, overcurrent protection and  
24 grounding show up at the top of the most important items.  
25 And so we use these numbers to design tests that weight

36

1 those appropriate code articles. There's five grounding  
2 questions, there's two on something similar than  
3 grounding. That's the way our blueprint came out.  
4 And when you look at that and compared it to other  
5 states exam blueprints and our previous blueprints from  
6 the exam contractors that we were dealing with, they were  
7 in the same ballpark. So we felt pretty good about what  
8 we'd done.  
9 We then put all of those questions through our own  
10 staff's eyes -- 12, 16 different sets of eyes, polishing  
11 it, finding things wrong, throwing things out that were  
12 not clear, just cleaning them up as much as possible. And  
13 the philosophy was no trick questions; let's keep it  
14 direct.  
15 We decided early on we're going to have open-book  
16 examinations. It is not about memorization. That's an  
17 additional obstacle that some people can't get around. So  
18 we allow people to use the same tools they have in their  
19 truck when they're on the job. Any code book, any  
20 published materials, the RCW and the WAC books, bring it  
21 to the exam. You can't bring lists of questions, you  
22 can't bring things from the Internet, but any copyrighted  
23 electrical instructional materials or standards --  
24 installation standards.  
25 So having done that, we then took these massive

37

1 questions, about 2,500 questions, had a group of hearty  
2 volunteers that sat through two days of reviewing those  
3 questions for relevance to our electrical specialties.  
4 And we had representation from all of the specialties in  
5 the room say, "No, that question's not good for our  
6 specialty," "not necessary" or "Yeah, that is." That was  
7 what we did for two long tedious days.  
8 And so each question in our database now has a  
9 designator as to which exam it's appropriate to be on.  
10 And some questions were appropriate to be on all exams, as  
11 you can well imagine, some fundamental things. And others  
12 were only for 01's, only for 03's. And our software --  
13 exam software is able to sort through this and give us  
14 lots of copies of the exams, which we felt was important,  
15 and we created no less than five versions of every exam.  
16 So if you fail one, you will take something completely  
17 different the next time around. And you'll have to go  
18 through five failures to see the same examination again.  
19 And the few individuals that have gone to six and seven

20 exams, it doesn't seem to make any difference.  
21 Then we had a psychometric evaluation professionally  
22 done. They looked at our system in its entirety. And we  
23 came out very good in their evaluation. Probably the most  
24 significant improvement that they recommended was to make  
25 sure that you have a balance in your five different forms

38

1 that you have for each examination so that you don't have  
2 a difficult test and a hard test, and depending on where  
3 you start in the random cycle that you would be facing a  
4 little higher hurdle if you got form "B" instead of form  
5 "A" of the examination. And we've done that balancing.  
6 And we're within a percent or two between all of the  
7 different forms. And some of them we don't have enough  
8 data on because we have some specialties that very few  
9 candidates actually step up to take the exam. So we're  
10 compiling more and more data as time goes by.

11 That's kind of the big picture of the exams. And  
12 what we found is when you analyze the massive data that  
13 LaserGrade gives us is that the failings are not so much  
14 in using the installation standards or answering questions  
15 about things that individuals have hands-on experience  
16 with. The biggest weaknesses were fundamentals of  
17 electricity, basic electrical theory. And that kind of  
18 inspired Ron to push for -- along with other groups -- to  
19 push for getting some classroom education as mandatory.

20 Are there any questions so far?

21 SECRETARY FULLER: I'd like to add a couple of things  
22 to what Doug said too.

23 When we've talked with the reciprocity states about  
24 this issue, and we have maybe even more than two years, we  
25 have the same discussion every year almost. But they --

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1 in general, the percentages of passing that they relate  
2 back are higher than ours. So that's -- to me that's an  
3 indicator that our exam is not an easy exam. It's a  
4 fairly comparatively significant exam. The states that  
5 have the 75 rates have generally better higher pass rates  
6 than we do. So either they're really turning out better  
7 electricians or their tests are a little bit easier. And  
8 that's where you get into the dilemma with this I think.

9 The one thing that we all agree on that is the utmost  
10 important thing is to get people into a classroom  
11 situation. And that's why, you know, I was really

12 ecstatic when the bill with the IBEW pushed last -- the  
13 session before last passed to at least require them to be  
14 in a classroom eight hours a day. In my mind, I would  
15 have loved to see that magnified significantly. Get them  
16 into a classroom.

17 We found back when we were doing some of the open  
18 windows that -- with the BOMA organization, for instance  
19 -- that their candidates for the 07 with just a two-day  
20 class almost doubled their pass rate for the 07 exam.  
21 Just because they became familiar with the terms and the  
22 lingo and the code and knew how to find things. They  
23 couldn't even find the answer before. The intelligent  
24 people had the hands-on experience, but they didn't know  
25 the code book. So it's just those little things that I

40

1 think really make a difference in the quality of the  
2 successful candidate in the end.

3 You know, we're not proposing any legislation on it  
4 this year. I'm hoping that I can sit there and support a  
5 more continued ed for trainees because that's what's  
6 really going to improve the quality of the candidate I  
7 think. I think that raising the test score I don't  
8 believe is really going to accomplish that for us. It  
9 could make it harder to find journeyman electricians, but  
10 I don't think it's going to improve the quality at all.  
11 But classroom time will.

12 The dilemma with classroom requirements when you  
13 start getting significant hours is, are the outreach areas  
14 -- the Chelans, the Okanogans, the Colvilles -- about  
15 where do they go to get that class and how do they manage  
16 to fit it into their schedule when they're trying to work  
17 too.

18 One of the solutions that Idaho has -- and I actually  
19 like it -- it takes infrastructure from the state, but  
20 they do a lot of correspondence and on-line self-taught  
21 training basically from a classroom point of view. And I  
22 can't help but believe that even that would really  
23 significantly improve the quality of our candidates.  
24 Because when you think about even the classroom, whether  
25 it's JATC or the local junior college or high school or

41

1 whatever you do, there's that magic number that the  
2 faculty always says. You'll be in class one hour; you'll  
3 study for four. So what are you really doing? You're

4 actually self-taught in reality. You're doing your  
5 homework. You're getting the job done yourself in a lot  
6 of cases. There's technology that's available now I think  
7 for self-taught classes that could very easily be used to  
8 help us train the people in Okanogan, you know, that one  
9 trainee that's up there or whatever, however many there  
10 are. But I think technology's there. But it would take  
11 some investment from the industry I think to do that. And  
12 who knows what that would be for us. It might be three or  
13 four staff members at L & I to develop those kind of  
14 classes and do that monitoring.

15 You know, I know I took some on-line classes when I  
16 was in White Salmon as an inspector from City University.  
17 My instructor was in Seattle. And it worked. I learned a  
18 lot during that class. But it was actually very difficult  
19 for me because you had to self-motivate yourself, you had  
20 to meet the time lines. You had to do a lot of things  
21 yourself that are kind of spoon fed to you in a class. So  
22 it was not an easy situation to even do that.

23 So that's where I'm at on this I think is to promote  
24 the requirements of more hours. I think an average JATC  
25 probably right now is doing about -- Doug and I were

42

1 talking about it yesterday -- it's about 150 hours a year  
2 in the classroom. But if we even got half that far, that  
3 would be a huge step from where we're at now. And I think  
4 we could do that with just a little bit of infrastructure  
5 to accommodate the outlying regions where people can't get  
6 to a class on Wednesday night.

7 So that's I guess my recommendation to the discussion  
8 that we've been having, Gloria, is not to raise the pass  
9 rate. I think that's a bad idea. I think all that's  
10 going to do is choke down the candidates that you have  
11 coming through. But I think training will definitely  
12 improve the quality of our applicants.

13 BOARD MEMBER SIMMONS: One thing in this -- and Doug  
14 did a very good job of presenting us the facts and  
15 background on this. I appreciate it very much.

16 One thing that we need to keep in mind, Ron,  
17 especially in those outlying areas and the places where  
18 people do have issues with getting to a quote/unquote  
19 "classroom environment" is we also have a lot of vendors  
20 that now have programs that they do on-line and we want to  
21 be careful not to step on toes offering a program, you  
22 know, through the state that's free or whatever that may

23 be, that we don't put people out of business or conflict  
24 with those things too. There's a lot of challenges in  
25 that I understand. But we also want to provide the

43

1 services to those people in a way that is realistic and  
2 fair. When they happen to live in an outlying area,  
3 that's not necessarily their fault. That's just where  
4 they live. But it can create some tremendous challenges.

5 SECRETARY FULLER: Right.

6 Now, Idaho does it the way they do it because they're  
7 a mandatory apprenticeship state. I want to say that the  
8 unions there do their in-classroom classes, and if you're  
9 in a JATC you will go to their classroom. But they do the  
10 on-line correspondence for the independents because they  
11 don't have that setup. But they do it because they're a  
12 mandatory apprenticeship state.

13 BOARD MEMBER (D.A.) BOWMAN: Question: If I  
14 understood you both correctly, two areas were identified  
15 that seem to be problems for people that are either on the  
16 border line of passing or in that line between 70 and 75,  
17 and that was fundamentals, which is what Doug mentioned,  
18 and familiarity with the code is what Ron mentioned. Are  
19 we giving feedback to the training programs or to the  
20 people when they take exams to say, "This is where you  
21 need further study" or "You need additional work"?

22 SECRETARY FULLER: Yes. When they take an exam, if  
23 they fail -- if they pass, they get no feedback. If they  
24 fail, they get an itemized list of the categories where  
25 they've missed questions. So they should go study those

44

1 intensively before the next go-around.

2 BOARD MEMBER (D.A.) BOWMAN: And along the same  
3 lines, is information going out saying that the two  
4 biggest areas where people have difficulty is basic  
5 fundamentals and familiarity with the code so that they  
6 can hit those ahead of time?

7 SECRETARY FULLER: That's what we always talk about  
8 when we're talking exams with people. Because that is  
9 where they fail the most.

10 When you even look at the master and the  
11 administrator's exam results, you see that really the  
12 toughest part are the calculations. They have been since  
13 day one of testing. But they continue to be the toughest  
14 parts. And they are very basic straightforward questions.

15 If you just follow the book, you can work it out. But  
16 people start throwing in exceptions and all the nuances  
17 that they read into the questions, they make them more  
18 complicated than they are. They're very straightforward  
19 questions right out of, you know, the basic calculation  
20 book. And people continue to just struggle terribly with  
21 those master calcs.

22 But that's true nationwide. All the states relate  
23 the same thing. That's where people have the toughest  
24 problem.

25 BOARD MEMBER PREZEAU: I'm curious. Doug, when you

45

1 talked about our test blueprint closely mirrors other  
2 reciprocal states, I'm assuming what you mean by that is  
3 number of overall questions, the breakdown between the  
4 code questions and then our WAC and RCW questions, I'm  
5 assuming that other states also have that same component?  
6 Or is that not true?

7 MR. ERICKSON: Yes, they do. But I'm talking about a  
8 blueprint based primarily on sections of the code,  
9 elements of the installation standards and local rules and  
10 regulations which is one of 25 categories. So theory and  
11 fundamentals was one of 25 categories. The other 23  
12 categories were specific sections of the National  
13 Electrical Code. So when we talk about the blueprint,  
14 we're talking about number of questions from each section.

15 BOARD MEMBER PREZEAU: Focused. Weighted --

16 SECRETARY FULLER: Very focused. Down to -- we have  
17 I'll say three questions out of grounding, two out of  
18 overcurrent, one out of article 300.

19 BOARD MEMBER PREZEAU: Is that information that you  
20 can find on the L & I web site if you download the PDF  
21 that tells you --

22 SECRETARY FULLER: Exactly the same thing, right.

23 And that was all based off of -- we surveyed all the  
24 other states that did licensing. We surveyed some  
25 contractors. We surveyed all of the training providers in

46

1 the state that we -- you know, that do continuing ed, all  
2 the JATC's. We sent out the same survey to all of them.  
3 And it had two goals in it. This was way back in 2001 I  
4 guess now or '02.

5 But the general thrust of it was, if you run into a  
6 problem every day, what's that problem? So it's a volume

7 kind of a question again.

8 The other thrust that we were interested in was if  
9 you run into this problem one time, and it's catastrophic  
10 if you do it wrong, what's that question going to be  
11 about?

12 So there has to be a balance between those two. So  
13 it's what do you hit every day that you absolutely need to  
14 know because you're going to see it every day. And the  
15 other one is if I do this one wrong, what is it so that I  
16 don't? So that's kind of how you start your process.

17 And then you get that feedback and you get some  
18 really -- you get really definite data on that. And it  
19 enables you then to go in and decide that, okay, grounding  
20 and bonding and overcurrent protection are the most  
21 important things in the National Electrical Code. If you  
22 can do those two, you're pretty good to go on the  
23 catastrophic things.

24 Article 300? Yeah, it's kind of important, but if  
25 you're six inches too shallow, probably nothing's going to

47

1 happen. Unless some digger digs it up. So you make those  
2 kind of adjustments into your entire package.

3 And what it does is it actually forces you into an  
4 exam size. Because to get those percentages -- it's like  
5 when I set the TAC committee membership, I don't just  
6 arbitrarily decide that I want 50 members. You start from  
7 the back end, and that's how many licenses do you have.  
8 In other words, how many questions you need on the exam.  
9 And it gets you to a point where you have 80 questions or  
10 whatever that magic number is.

11 So that survey and baseline data actually sets the  
12 size of the exams.

13 BOARD MEMBER PREZEAU: So our exam size and structure  
14 -- what I mean by that is the two separate pieces, the  
15 fundamentals of the code, and then the second piece that's  
16 the WAC and RCW administrative, if you will, is consistent  
17 with our reciprocal states? Is that a true statement?

18 SECRETARY FULLER: Very close.

19 I was talking to Wyoming the other day. And they  
20 have an 80-question journeyman exam. And that includes  
21 everything that they do. And I think that's actually what  
22 ours is. We're within one or two of that.

23 Most of the states don't break out their state  
24 issues, their RCW and WAC. They include them in their  
25 exams. But we're trying to promote to break those out so

1 that we can start using common exams. That's the only way  
2 you can do that. Because every state wants to ask their  
3 questions. And the only way you can do it is to have them  
4 in a separate piece, like we do, a different part.

5 BOARD MEMBER PREZEAU: And that was going to be my  
6 next question. Because I remember when we -- this Board  
7 decided to separate those out. And one of the motivating  
8 or deciding factors for that was to allow for usage of the  
9 exam in other states. Have we seen that happen, our exam  
10 -- wasn't it Montana?

11 SECRETARY FULLER: Well, Montana actually uses our  
12 questions. But they do write their own exams. So they do  
13 it from scratch basically. It's very -- I don't know how  
14 they did it. Because there's only one George over there.  
15 One person does all their licensing and examinations. For  
16 multiple programs too. But it's quantity, you know. But  
17 still, to create five exams, I don't care whether you have  
18 ten candidates or a thousand, it takes the same amount of  
19 time. So he just struggles with that. But their board is  
20 unwilling at this point to use our test. It's a control  
21 thing.

22 Wyoming I just talked to two weeks ago. And their --  
23 we sent them a sample exam over for master and journeyman.  
24 And they're going to be presenting it to their board next  
25 week with the caveat that if we share with them, they're

1 going to use our exam. Our code and theory part of it at  
2 least. They can write their own local stuff.

3 So it sounded very positive. So they may be the  
4 first ones that actually do it is Wyoming. So we're going  
5 to know that when we go to our reciprocity meeting the  
6 following week whether they -- you know, what the outcome  
7 of that was.

8 But I'm not willing to set up another Montana because  
9 it takes -- basically we double our database. Because the  
10 only way that I can protect our questions and our exams  
11 from inadvertent catastrophe is to separate them out. So  
12 Montana has a duplicate of what we have that's restricted  
13 to them.

14 And when you start doing that, it doubles your  
15 database size. Every state you add on, you add a complete  
16 database. It literally takes about six hours to transfer  
17 our data into another database just to do that. And so

18 the vendor isn't real happy when we do that because it's  
19 eating up their servers and resources.  
20 So we have to be more restrictive about how we share  
21 with Montana.  
22 Alaska's looking at it too right now; I know.  
23 It's just a matter of time. Because all the states  
24 are very interested in common exams. It's just a matter  
25 of getting it by their local boards. I mean, if I walked

50

1 in here and said, "I want to use New Hampshire's exam,"  
2 you'd be pretty dubious I think, you know, of whether you  
3 should say "yes" or "no" to that. So it's a struggle when  
4 you do that because they don't see them and they don't  
5 have them in their hand to look it.

6 It may take a trip over to Wyoming -- I don't know --  
7 to meet with their board.

8 I did that with Montana. And it convinced them at  
9 least to use our questions. They don't change our  
10 questions. So at least that was a step forward with them.

11 But if we can move a little bit farther than that,  
12 that would be really good for all the states.

13 BOARD MEMBER PREZEAU: And then, Ron, I don't know if  
14 you know the answer to this. But do you have any idea of  
15 what the pass rate is for the general journey exam in  
16 Oregon or what their pass --

17 SECRETARY FULLER: Not in -- I don't know in Idaho or  
18 Oregon. Because they haven't been a member of the  
19 reciprocity group in a while.

20 MR. ERICKSON: I can volunteer. Generally all states  
21 run at about a 40 to 50 percent pass rate for journeyman  
22 electrician. That's a ballpark number. You'll even see  
23 that when you look at the adjustment.

24 We currently in the limited number of data points we  
25 have for this quarter, we have a 50 percent pass rate for

51

1 electricians. And if you make it 75 with our existing  
2 exams, that goes down to 34 percent.

3 So both of those numbers are ballpark, the high and  
4 low end. And other states are very similar to higher.  
5 Some higher.

6 You find that a state that has a limited number of  
7 exams, or an exam, gets a pass rate that's higher and  
8 higher and higher, and the electricians and the  
9 educational community focuses on --

10 SECRETARY FULLER: They get quite familiar with your  
11 questions.

12 MR. ERICKSON: Yeah.

13 SECRETARY FULLER: Doug and I have talked about this  
14 a lot. And our viewpoint is that if they can memorize all  
15 2,500 questions, have a blast.

16 MR. ERICKSON: And if you're curious on the  
17 calculations, which we feel very firm on, we get the  
18 highest failure rate, we get the highest number of violent  
19 phone calls calling back because they failed for the third  
20 time. But we have quality questions. We itemize every  
21 step of the calculation. We built the calculations in  
22 Excel, the spreadsheet, so we can generate many different  
23 -- you're never going to get by trying to memorize the  
24 answers to a question. We can generate as many copies of  
25 a question as we want. So if you memorize the process

52

1 that you have to go through to get the answer, then I  
2 think we've accomplished exactly what we're trying to do  
3 with the calculation questions. We actually have seven  
4 versions of the major calculations exams.

5 And while we're talking about test scores, the most  
6 common thing I say over the phone to people talking about  
7 testing is -- and it needs to be said -- is the foundation  
8 of the quality of the electricians we have in this state  
9 is the training process. There may be 5- to 10,000 things  
10 that an individual needs to know about the installation  
11 standards to go out there, work alone -- which is what our  
12 certifications mean -- work alone and train somebody else  
13 for what you're going to encounter in your specialty.  
14 It's a massive number of things you need to know. We have  
15 to assume that the training requirements expose the  
16 individual to the most important ones they need. The exam  
17 is a spot check at the end of that training process, open  
18 book with a handful of questions just to verify that your  
19 training is good and you can actually use the installation  
20 standards.

21 So the tests are pretty insignificant in my opinion.  
22 It's the training requirements; it's qualifying to take  
23 the test is what really makes the quality electrician.

24 And it makes me really nervous when somebody calls  
25 and says, "Well, I'll test. Let me test and verify that I

53

1 can challenge this training requirements." It's a common

2 attitude that people have. But it makes me very nervous.  
3 I know this was mentioned yesterday at the  
4 subcommittee meeting, but it's true. We had the JLARC  
5 staffer come in here, and he was getting reports from the  
6 field from 30-year HVAC contractors saying the state's  
7 created a test that nobody could pass to be an  
8 administrator; this is ridiculous. And we told him,  
9 "Well, take the test. We'll give you the administrator's  
10 test." He's a bright guy, never touched a piece of HVAC  
11 equipment in his life. But he had the reference  
12 materials. He knew how to use the index, the table of  
13 contents. And he passed it. And he got an 80 on the  
14 exam. And he never touched a piece of HVAC equipment. So  
15 testing shows that you can find the answer to problems,  
16 but that's about all.  
17 Anything else?  
18 CHAIRWOMAN ASHFORD: A question, Ron. The states  
19 that do have a 75 percent pass percentage but still have a  
20 high percentage of pass rate, have you seen the questions?  
21 Have you ever had a chance to compare that test with our  
22 test?  
23 SECRETARY FULLER: No.  
24 MR. ERICKSON: I have seen other states exams. We  
25 shared some in North Dakota at the reciprocal states

54

1 meeting. And there were from two over states that had  
2 brought them, passed around paper copies just around the  
3 table. It looks just like our test.  
4 SECRETARY FULLER: What you find I think, Gloria, to  
5 -- I think what you find is that the other states don't  
6 have the number of versions that we have. So people get  
7 much more familiar with what's on those exams. The  
8 training providers get really familiar with what the  
9 questions are, and they train to the test. That's a  
10 complaint that all of the other states that -- especially  
11 the smaller ones, the population of Montanas, the Idahos  
12 that have lower populations than we do. They absolutely  
13 know for certain that all the training providers are out  
14 there teaching the test. And so I think that may be one  
15 of the reasons that they have higher passing scores.  
16 It's very difficult. When we started, one of the  
17 reasons that we started doing the exams internally was  
18 because everybody knew every question we had with the  
19 previous vendor that we had because they didn't have any  
20 versions. They only had one or two at the most, and

21 they'd been out there for decades. And everybody knew the  
22 questions. We actually had people giving us itemized  
23 typed lists of our questions and answers after the fact.  
24 So we knew that all the questions were out there. So we  
25 threw all of those away and started from scratch. And

55

1 that's why we have, like Doug said, at least five versions  
2 of everything. There may be the random question on a  
3 journeyman exam that might be on two or three versions,  
4 but it's the one that you have to know to be an  
5 electrician. It's the one you have to ask everybody to  
6 see if they know that answer. The little ones like if you  
7 put an ohm meter on a circuit and it reads zero, what does  
8 that mean? Short circuit or open circuit? Those are the  
9 kinds of things that you might see twice on different  
10 versions. But the standard old code question, you'll  
11 never see it twice.

12 MR. ERICKSON: We also attempt consciously to put  
13 questions on every exam that are within the scope that  
14 it's not likely that most individuals have ever done.  
15 Because that's the thing where you could kill somebody.  
16 It's in your scope. Somebody as a customer is going to  
17 pay you to do it, and you've never done it before, we want  
18 to know if you're going to do the right thing. So there's  
19 always questions of things that are not in your  
20 experience; we hope. That's intentional.

21 CHAIRWOMAN ASHFORD: Well, 8,000 hours or four or  
22 five years of school you're not going to learn everything.  
23 This is ongoing education. Whether you do eight hours of  
24 CEU's or not, every industry has ongoing education.  
25 I won't pretend that I'm not disappointed. I would

56

1 -- as much as I would want to see the bar raised, I  
2 wouldn't want it raised to 75 percent and then have us  
3 dumb down our questions to appease some political agenda.  
4 Where I'm coming from with this is, as you know,  
5 Puget Sound JATC is the largest apprenticeship program in  
6 the state. I sat as a trustee for ten years on that  
7 committee and I watched the students that struggled in the  
8 classroom, struggled out in the field, maybe tested two or  
9 three times to get that 70 percent, and they struggled to  
10 maintain employment over and over again. So it really  
11 makes me wonder somebody getting a 70 percent and they  
12 can't hold a job. Why?

13 SECRETARY FULLER: I think it's not because they  
14 struggle with the test. I think it's because they  
15 struggle getting educated.  
16 You read it all the time in the newspapers now about  
17 that -- whatever generation we're calling the 20 year olds  
18 now -- that their goal in general is to just pass the  
19 test. It's not to make 90 any more; it's to make 70. And  
20 I think that's part of society. We're always --  
21 CHAIRWOMAN ASHFORD: Well, just pass the test --  
22 SECRETARY FULLER: We're always going to --  
23 CHAIRWOMAN ASHFORD: -- at 75 percent. I'm not going  
24 to give up.  
25 SECRETARY FULLER: What I hope is that you don't give

57

1 up pushing for more education.  
2 CHAIRWOMAN ASHFORD: Oh, I wouldn't do that.  
3 SECRETARY FULLER: That's the key. That's absolutely  
4 the key.  
5 CHAIRWOMAN ASHFORD: Actually I think the education  
6 is wonderful. And as you mentioned, our rural areas,  
7 especially in Eastern Washington, currently it has to be  
8 classroom hours. But I really would like to see that  
9 expanded to correspondence or on-line. I think even in  
10 the metropolitan areas, you can encourage more students to  
11 seek out that education if you make it easier for them to  
12 access it.  
13 MR. ERICKSON: We do allow our contractors in those  
14 areas to provide that classroom training to their own  
15 employees which is kind of what they're supposed to be  
16 doing anyway. So it's not a hardship when you let them,  
17 or you force them I guess, to provide that kind of  
18 face-to-face time teaching fundamentals. So there are  
19 ways --  
20 CHAIRWOMAN ASHFORD: Personally I would continue to  
21 push education and have someone not look at this as a job,  
22 but as a profession, a technical profession.  
23 I am disappointed, but I'm not giving up.  
24 BOARD MEMBER GUILLOT: Gloria, just to go along with  
25 what you're talking about, on the outside trades,

58

1 education's imperative for us as well. But what we're  
2 doing, working through the community colleges here in the  
3 state, we're trying to set up -- and we've been successful  
4 at receiving a \$5 million grant to -- the Satsop nuclear

5 power plant out near Ellensburg -- not Ellensburg, but  
6 Elma, we're going to turn that into a training center and  
7 train all of the crafts out there. But on the electrical  
8 side, we're looking at purchasing some property in the  
9 middle of the state to make it a postjourneyman training.  
10 So we want to continue our training. And we're very  
11 concerned about this huge bow wave with the baby boomers  
12 coming through.

13 My fear is is that some of the employers in order to  
14 maintain their FTE status may want to lower the bar just  
15 so they could have the body. And that's what's a real  
16 concern of ours.

17 BOARD MEMBER SIMMONS: This is probably as good a  
18 segue as I can get into a question that I had. And I  
19 agree 100 percent that we need to increase training. I  
20 don't think just requiring a higher passing score is going  
21 to accomplish what we're after. What we've got to do is  
22 get an incentive for people to be trained.

23 Along that same line I have a question -- and maybe  
24 Ron can answer it or Doug. Something that's been a  
25 question in the back of my mind is an electrical

59

1 contractor, it's getting harder and harder and harder to  
2 find quote/unquote "qualified people." I just read an  
3 article the other day that said, if I remember correctly  
4 and don't quote me exactly, but it was as of 2012 they're  
5 expecting a national shortage of licensed electricians of  
6 over 50,000 people. And that is going to be huge for all  
7 of us in this room and our industry.

8 And the question that comes out of this is:  
9 Currently we have a requirement in this state of having  
10 two apprentices for a specialty electrician, he can  
11 supervise two people. But an 01 electrician can only  
12 supervise one person. And my question is simply this:  
13 Has an 01 electrician in the past been incapable of  
14 supervising two people? Is that where this came from? Or  
15 is there some other reason why this came to be? And my  
16 question comes out of the simple idea that if we're going  
17 to have a labor shortage of qualified people in this  
18 country, why aren't we doing everything we can to bring  
19 more people into the supervision?

20 If we had allowed, for example, two apprentices for  
21 commercial guy, you're going to have him supervising and  
22 training two people rather than one, and you're also going  
23 to be able to get more people on the job on these

24 commercial installations where they're going to be a major  
25 labor shortage in this country, people.

60

1 Why can't we -- where did this rule come from?  
2 Because I don't know. And is it necessary -- is it a  
3 necessary thing, two? And number three, can it be  
4 changed?

5 SECRETARY FULLER: It's not a rule; it's a law. It  
6 was the original law for electricians back in the early  
7 70's. And who knows why they did what they did.

8 I do know that all of the -- I think I can say all of  
9 the apprenticeship programs, regardless of what it is in  
10 the trades, require one to one. Even if it's a specialty.  
11 So they actually have a tougher requirement than we do as  
12 electrical and specialties. Most of the other -- I think  
13 all the other states require one to one for their  
14 journeyman supervision that I can think of. I don't think  
15 there are any two to one's in our reciprocal group. Most  
16 of them I think I can say do have the two to one for the  
17 specialties that they do have. So they're very similar to  
18 what we do.

19 The dilemma that I get into with supervision, and  
20 it's -- the one case that you were supposed to hear today,  
21 we didn't move that case forward because of a technicality  
22 in the law in my opinion.

23 What you had there was a high-rise building laying on  
24 the ground sideways. And you had a supervisor and a  
25 trainee four blocks apart. Totally inappropriate in my

61

1 mind. Not what we want to have happen in a normal  
2 day-to-day situation. But they made the argument that  
3 they were connected because there was wiring from point A  
4 to point B. If there hadn't been wiring between those two  
5 signalization systems, we would be here today talking  
6 about that one. But because there was interconnecting  
7 wiring, I didn't move it forward to the Board. They  
8 brought that forward in the case.

9 It's no different than a 60-story building. We can  
10 have an electrician on the roof and have the trainee in  
11 the basement communicating by cell phone for weeks on end.  
12 And that is inappropriate for a contractor to do that.

13 So, you know, one of the things that -- after  
14 reviewing that case myself, one of the things that's  
15 popped up on my "to do" list now is to try to get that

16 changed, whether we do it in rule or statute, whatever it  
17 takes, is to define what "supervision" means. And in my  
18 mind, it's more like what the plumbers have, and theirs is  
19 within sight or within voice and not over a cell phone.  
20 So I think we need to tighten that up because it's  
21 inappropriate to supervise people that you can't see and  
22 know what they're doing. That's how trainees get killed.  
23 BOARD MEMBER GUILLOT: Ron, if it's based upon the  
24 wire, it could be miles apart.  
25 SECRETARY FULLER: It can be miles, absolutely. It's

62

1 a loophole --  
2 BOARD MEMBER: Or states apart.  
3 SECRETARY FULLER: In our system, that's a loophole  
4 that's there, though. And we don't like it. Never have.  
5 But this one kind of kicked me over the edge on really  
6 putting it on my list as something I want to take care of.  
7 Because that is totally inappropriate. And for a  
8 contractor to make that kind of an argument doesn't shine  
9 very well on their management practices in my opinion.  
10 CHAIRWOMAN ASHFORD: Any further discussion or  
11 questions of Doug.  
12 Thank you for the hard work, though.  
13  
14 Item 5. Interstate Reciprocity  
15  
16 CHAIRWOMAN ASHFORD: Reciprocity.  
17 SECRETARY FULLER: Okay, this one's short and sweet.  
18 August 5th and 6th, two weeks from now, Monday and  
19 Tuesday, we're going to be over in Montana doing our  
20 reciprocity meeting. I always try to just give you a  
21 general idea of what we're going to be talking about.  
22 The primary focus this year is going to be on writing  
23 bylaws for that group. Because there never has been any  
24 on how they conduct their meetings, how we recruit and get  
25 new states involved in the program, how do we sign our

63

1 documents, those kinds of technical details that have  
2 never been really put down on paper. That and they're  
3 also going to be looking at rewriting the agreement so  
4 that it's a little bit cleaner. It hasn't been rewritten  
5 in about 10 or 12 years. Some of the language in there  
6 allows for different interpretations. So the goal of the  
7 group is to try to tighten that up a little bit and make

8 it more specific about -- in one case, what deviations can  
9 there be between states to still have reciprocity.  
10 And the reason -- one of the reasons for that is that  
11 we've got Idaho coming back in. They came last year  
12 wanting to come in again. So they're being voted on right  
13 now. And they want to have it where if a Washington  
14 electrician goes to Idaho, it takes 16,000 hours. If one  
15 from Idaho comes to Washington, it's 8,000 hours. Because  
16 they're an apprenticeship-only state. So that's a huge  
17 difference. It doesn't sound like the definition in my  
18 dictionary of "reciprocity."  
19 But those are some of the things that we're going to  
20 sort out. Because there's some wiggle room in some of the  
21 language in the agreement that could maybe allow that to  
22 happen. So those are going to be the discussions.  
23 Oregon is back on the list to come back in too. But  
24 they want to same kind of deal that Idaho wants. Very  
25 uncomfortable when you're not an apprenticeship-only state

64

1 to do that.  
2 We've got several states that are hopefully going to  
3 attend that haven't been in the group before. I think  
4 Virginia's going to come, which is -- they're a fairly  
5 large licensing state. We hope some of the New England  
6 states -- Massachusetts, maybe Vermont I think it was --  
7 is going to show up too. So we're growing.  
8 In fact, I'll send Doug over right now to get his  
9 map. It's really interesting to look at Doug's map of who  
10 does licensing and who's in our reciprocity group. We've  
11 got the bulk of them already. I think we're well over 50  
12 percent already in our reciprocity group. It's very  
13 interesting to look at that map and see who's dark gray  
14 and who's light gray and who's white. The majority of the  
15 nation has no regulation. Especially when you look at  
16 population, California and New York have no regulation in  
17 reality. I don't understand that, but they don't.  
18 California's trying. I think they're -- they're almost  
19 there now, but I don't think they're implemented fully  
20 yet.  
21 BOARD MEMBER PREZEAU: And I think this is -- you  
22 know, going back to the point that Jim brought up about,  
23 you know, manpower shortage and the bow wave of the baby  
24 boomers, I am excited to learn that there are more states  
25 looking to become reciprocal, because then it allows the

1 ease of manpower movement where necessary and will help  
2 alleviate that problem to a certain degree.

3 SECRETARY FULLER: Right.

4 BOARD MEMBER PREZEAU: I'm also curious -- I know we  
5 talked about this before, but now that Idaho is being  
6 voted on for reciprocity status and Oregon is on the list,  
7 I'm still curious if those states would consider  
8 applicants from our state that have completed a  
9 apprenticeship program and would allow them to instead of  
10 having to -- raising the bar of having to approve 16,000  
11 hours, if they have 8,000 hours plus have completed a  
12 five-year apprenticeship program or four -- you know, a  
13 journeyman apprenticeship program, if that would be a  
14 direct transfer then.

15 SECRETARY FULLER: Well, it has been in the past. So  
16 our JATC graduates could go there. That may be changing,  
17 though, because of Idaho's practices again. Because Idaho  
18 and Washington (sic) as of now also don't have reciprocity  
19 with any apprenticeship programs. That's been pulled  
20 totally for all programs between those two states. And I  
21 think the apprenticeship council did it primarily because  
22 of the Oregon first laws they passed in the last few  
23 years. Things don't transfer equally between states. I  
24 know there's discussions going on right now because  
25 meetings are -- if they haven't started, they're imminent.

1 With industrial insurance, because Idaho has  
2 privatized industrial insurance, so if someone comes here  
3 to work as a contractor with their Idaho electrician's,  
4 there's no way to document whether their industrial  
5 insurance is being paid or not because it's private;  
6 there's no public access. And Idaho can't even get those  
7 records. So it puts the reciprocity for everything  
8 between our states in jeopardy right now. It's just not  
9 equal.

10 And when it comes to, Tracy, between our  
11 apprenticeship graduates going there and theirs coming  
12 here -- I mean, we take theirs. 8,000 hours, come take  
13 our test, and you're done. They do the same thing right  
14 now with the apprenticeship graduates from here. You go  
15 there and you take their test, and you're done. But  
16 probably less than 25 percent of our trainees are  
17 apprentices. So there's a fairness inequity there  
18 that can really elevate that group for this purpose. And

19 that's a real struggle for us to do that.

20 CHAIRWOMAN ASHFORD: Sure, we can. Then we can  
21 encourage the trainees to get into an apprenticeship  
22 program.

23 SECRETARY FULLER: It would be nice if they were  
24 there, but yeah.

25 BOARD MEMBER NEWMAN: Ron, being involved with NECA

67

1 and the National Electrical Contractors, in Florida  
2 they've actually come up with another trade  
3 classification: construction electrician. So there's  
4 actually -- it's almost a subjourneyman type  
5 classification, not a trainee, and has certification I  
6 believe. But that can be one way that we address the baby  
7 boomer, you know, move-out kind of thing. We have to have  
8 a way to have these young people that come in that maybe  
9 they don't have the time invested to get to a full  
10 journeyman classification; there's other ways.

11 Have you -- are you familiar with that?

12 SECRETARY FULLER: No. Florida has no -- they have  
13 no certification. They have some local in Miami and some  
14 of the cities, but they don't have -- if you look at the  
15 map there, they're one of the white states. All the white  
16 states have nothing for electrical regulation. If they're  
17 light gray, then they have some licensing and  
18 certification similar to what we do. If they're dark  
19 gray, they're in the reciprocity group or have reciprocity  
20 with us. Like Texas isn't in the group yet, but they have  
21 it with us. So that's who we work with, which is -- when  
22 you get to the Midwest and the South, that's where you  
23 really find that there really isn't much in the way of  
24 licensing, whether you're a general contractor or  
25 electrical. Missouri, pretty much the only thing they

68

1 regulate are roofers.

2 BOARD MEMBER PREZEAU: Tornados.

3 SECRETARY FULLER: Tornados I guess. Who knows why.  
4 But you look at a lot of those Midwestern states.  
5 Indiana's another one. When you look up contractor  
6 registration in those states, there is none of any kind.  
7 So they just don't regulate, period.

8 CHAIRWOMAN ASHFORD: I thought California was going  
9 to initiate licensing.

10 SECRETARY FULLER: They have, but they're still in

11 the "trying to implement" stage.

12 You know, it would be very exciting obviously for us  
13 because a lot of people move from California to here, and  
14 maybe even more so if they really run out of water like  
15 the Governor says they're going to down there and prices  
16 continue to rise. But they're not fully implemented yet.

17 CHAIRWOMAN ASHFORD: What Geoff was talking about,  
18 they call it the Florida initiative. And the Florida NECA  
19 and the IBEW have been working together. It's basically a  
20 two-tier journeyman standard. And they did that to  
21 attract -- basically to organize, but to attract people  
22 into the industry that didn't have quite the skill level,  
23 but they can achieve that skill level by further  
24 education. 70 percent? 75 percent? I'm not giving up.

25 SECRETARY FULLER: But anyway, that's the map. I

69

1 mean, it's pretty impressive really when you look at it.

2 But a lot of those are dark gray now.

3 And I think it's very likely in the next couple of  
4 years we'll have Virginia on that. Because of the  
5 conversations I've had with them, I think they're very  
6 interested in joining the group. I know that Vermont the  
7 Maine are also very interested because they're already  
8 reciprocal with New Hampshire. And we're already  
9 reciprocal with New Hampshire and Massachusetts. So it  
10 just makes sense that those adjoining states would all  
11 join in with us. So it's kind of exciting. But it's like  
12 all the bureaucracies; it's glacial. Things move very  
13 slowly when you're dealing with this many people.

14 CHAIRWOMAN ASHFORD: Has there in the past been any  
15 -- and I'm assuming this is with the legislature -- making  
16 Washington a full apprenticeship state?

17 SECRETARY FULLER: I haven't seen a bill since I've  
18 been in this state.

19 CHAIRWOMAN ASHFORD: I just was curious.

20 Any further discussion on that short topic of  
21 reciprocity?

22

23 Item 6. Policy Advisory Committee Update

24

25 CHAIRWOMAN ASHFORD: Do you have a report on your

70

1 subcommittee?

2 MR. PHILLIPS: Yes, I do. Thank you.

3 We had two public meetings to discuss the issue of a  
4 proposal by the Washington HVAC/R Association. We held  
5 the first meeting on June 21st in Tumwater and the second  
6 meeting was yesterday in Tukwila.

7 And I want to thank, again, the other committee  
8 members. I had great, great help, assistance, input,  
9 objectivity. Tracy, David S. Bowman who couldn't attend  
10 the second meeting, Fred, Jim and Don. I think we had a  
11 pretty good group and pretty good discussion.

12 We discussed their proposal which was a little  
13 confusing that some of the wording could be read different  
14 ways. I think we tried to isolate what the true intent of  
15 the proposal was. And we boiled it down to that it would  
16 great a new specialty or to perhaps expand the existing  
17 06A specialty to allow installers to install equipment and  
18 line voltage conduit and conductors associated with HVAC  
19 equipment all the way back to the service where now it  
20 would be limited to the disconnect or limited to a  
21 six-foot whip.

22 We heard testimony from 18 people at the first  
23 meeting and 14 on the second meeting. And after  
24 discussion by the committee members and asking questions,  
25 the committee decided unanimously to not accept the

71

1 proposal and to recommend back to the Board to not accept  
2 that proposal.

3 The reasons that the members of the committee cited  
4 were that it was expanding the scope of the work without  
5 expanding the training or required hours for  
6 certification, that the new scope would be too close to  
7 the 01 and there would be duplication -- unneeded  
8 duplication. Most of the problems cited by the proponents  
9 the committee felt could be resolved by using the current  
10 licensing system, that is, an 01 or an 02 or one of the  
11 other specialties. And it just was not clear that the  
12 majority of the HVAC industry supported the proposal.

13 Several issues did come out in the discussions that  
14 the committee felt should be addressed.

15 One was there seems to be some confusion as far as  
16 what the exact limitations of the 06A and B license are.  
17 And we think that maybe L & I could do some outreach to  
18 the HVAC industry and better explain what the limitations  
19 of those licenses are.

20 And the other one, a repeated theme that kept coming  
21 up was competition with the underground economy,

22 competition with unlicensed HVAC installers. So again,  
23 the committee felt that maybe L & I could increase  
24 compliance in that area.  
25 So there was a motion made and approved unanimously

72

1 that the committee would like to recommend to the Board  
2 that the Board ask L & I to do some further outreach on  
3 licensing requirements for HVAC and to look at ways of  
4 increasing compliance in that industry.  
5 And I think that's the main issues/topics.  
6 Some of the other subcommittee members may want to  
7 add in, or you may have some additional questions.  
8 CHAIRWOMAN ASHFORD: Ron.  
9 SECRETARY FULLER: There were actually two motions,  
10 just to be clear.  
11 The first motion -- and I don't have the exact words.  
12 But the first motion was basically to recommend to the  
13 Board that there be no new specialty and no change in the  
14 existing specialties and that the discussion would be  
15 closed on that issue. And that was -- both motions were  
16 unanimous.  
17 And then the second motion was to recommend to the  
18 Department that we increase our outreach effort especially  
19 to the unlicensed contractors and the licensed ones about  
20 scope of work and what it entails, like Tom said, and to  
21 put a plan in place to -- actually it was a plan to -- it  
22 wasn't just to recommend to us -- to put a plan in place  
23 to improve the compliance that we do.  
24 So those were the two motions.  
25 BOARD MEMBER SIMMONS: And one thing I wanted to add

73

1 that came out of the meeting that I think should be noted  
2 is that a little more than half of the HVAC contractors in  
3 Washington state that are licensed to be HVAC contractors,  
4 a little over half of them are also electrical  
5 contractors. The rest are not. There's a huge amount of  
6 people out there that are licensed HVAC contractors that  
7 are not yet licensed as electrical contractors. And we  
8 felt that was a major issue that needs to be addressed,  
9 and that's one that Ron was just talking about: reaching  
10 that underground economy. Because there's a lot of people  
11 out there that are doing electrical -- I mean, unless  
12 there's an HVAC contractor that isn't installing  
13 thermostats or isn't, you know, hooking up any equipment,

14 we know that that's just not going to happen, they're  
15 doing it and they're not licensed to do it.  
16 BOARD MEMBER PHILLIPS: I probably misspoke on the  
17 proposal that was made. It was not to do an initial  
18 installation of the line voltage associated, but it was to  
19 repair or --  
20 BOARD MEMBER SIMMONS: Or replace.  
21 BOARD MEMBER PHILLIPS: -- reinstallation back to the  
22 service.  
23 BOARD MEMBER PREZEAU: And if I could -- I'm sorry --  
24 just another point to add with what Jim had said.  
25 Some of the concerns were -- you know, if you stop

74

1 and think, even though I interpreted the initial language  
2 that they had in their proposal as doing initial install  
3 with the exception of the conductors, because that's how  
4 it read, but that was not their intent. But Ron brought  
5 up a perfect example, and there were others too. And so  
6 let's say you have a warehouse building, and a forklift  
7 rips a -- there's a three-inch conduit off the wall that's  
8 feeding a huge, you know, make-up air-handling unit. Now,  
9 these individuals that were only requesting or only  
10 believe that they needed 4,000 hours on-the-job training  
11 to come in, and by ripping that three-inch conduit off the  
12 wall, it goes back to that 1,600 amp service with a 400  
13 amp three-pole breaker that's feeding this make-up  
14 air-handling unit, they now can -- 4,000 hours of  
15 on-the-job training, none of those hours are verified as  
16 being -- you can work for an HVAC contractor that's  
17 licensed as an electrical specialty contractor, and all  
18 the hours worked for that contractor count towards your  
19 4,000 hours. So you could be doing other things for that  
20 contractor that may or may not be directly, you know,  
21 installing or learning to install electrical  
22 work/equipment. So now that individual could be called to  
23 come in and repair this -- you know, reinstall or run  
24 another three-inch run, pull the feeders and have in their  
25 hands another 1,600 amp service.

75

1 But that was not really their intent. The problem  
2 is, intent doesn't mean anything when you're looking at  
3 language of scope of work. And so it was really very  
4 broad. It actually also included integrated building  
5 systems that may or may not be linked to the HVAC system.

6 So you're looking at fire alarm, building security, and a  
7 litany of other issues. And it was -- in my opinion it  
8 was very overreaching, especially if you're looking at  
9 4,000 hours working, you know, as on-the-job training.  
10 Some of these systems are extremely complex.

11 I think if you're talking about protecting, you know,  
12 consumer safety, employee safety, integrity of the system,  
13 integrity of the electrical program, this was not in line  
14 with what I thought our goals are.

15 CHAIRWOMAN ASHFORD: Dave, by the look on your face,  
16 you have --

17 BOARD MEMBER GOUGH: I wanted to get some  
18 clarification on the role of the policy advisory  
19 committee.

20 My understanding initially was that being that the  
21 Board does not have the time to fully evaluate the  
22 petitions that come before the Board and to research all  
23 the information, that the advisory committee's role was to  
24 gather that information and to be able to assist the Board  
25 in evaluating petitions that come before the Board. And

76

1 in this case, it sounds to me like a petition came before  
2 the advisory committee and they made a motion and a ruling  
3 that the petition did not have adequate merit to be able  
4 to come before the main Board. So I'm just trying to get  
5 some clarification to the role of the advisory committee  
6 and -- are they to act on behalf of the main Board to  
7 determine whether or not petitions would come before the  
8 Board or not? Because in this particular case, it sounds  
9 to me like a determination was made by them that this  
10 petition by the HVAC industry was not deserving to come  
11 before the full Board.

12 CHAIRWOMAN ASHFORD: Ron.

13 SECRETARY FULLER: I want to be real clear that the  
14 motion that was made was to recommend to the Board that  
15 the Board not adopt any proposals for change, and that  
16 they not adopt any new specialty, and that they not  
17 continue the discussion. So the motion was made to  
18 recommend to the Board. There were no decisions made,  
19 other than to make the recommendation. So I think that's  
20 what the committee is trying to do today is to tell you  
21 they're thought process and some of the things that they  
22 did.

23 BOARD MEMBER PHILLIPS: It probably sounds more  
24 official than that because we are bound by Robert's Rules

25 of Order which requires us to go through the motion

77

1 process and taking a vote.

2 So we come with an official decision from the  
3 committee which was to make this recommendation to the  
4 Board.

5 CHAIRWOMAN ASHFORD: If the full Board does not adopt  
6 their recommendation, speaking of which, does the -- is  
7 the Board prepared to adopt the recommendation of the  
8 subcommittee at this time? Or would you like to see a  
9 written report? further discussion on it? Feedback  
10 please.

11

12 Motion

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14 BOARD MEMBER PARKER: Madam Chair, I'd like to make a  
15 motion that we do adopt the suggested report of the policy  
16 committee, that we have no new specialty, no expansion of  
17 it, and ask the Department to do further outreach. So I  
18 would at this point place that motion on the table.

19 BOARD MEMBER GUILLOT: Second.

20 CHAIRWOMAN ASHFORD: We have a motion and a second to  
21 -- well, what Phil said. Call for the question.

22 BOARD MEMBER PREZEAU: Well, I'm just curious. I'm  
23 want to make sure that we include -- and I'm sure it's  
24 just semantics, but the other piece was outreach to the  
25 HVAC community and then also the compliance. So I want to

78

1 make sure that that was --

2 BOARD MEMBER PARKER: That would be the intent of  
3 what I said.

4 BOARD MEMBER PREZEAU: Thanks.

5 CHAIRWOMAN ASHFORD: And that was the intent of the  
6 subcommittee?

7 BOARD MEMBER PREZEAU: Very much so.

8 SECRETARY FULLER: Just a technicality, does the  
9 second agree with that?

10 BOARD MEMBER GUILLOT: Yes.

11 CHAIRWOMAN ASHFORD: Any further discussion? All  
12 those in favor?

13 THE BOARD: Aye (the majority).

14 CHAIRWOMAN ASHFORD: Opposed?

15 BOARD MEMBER GOUGH: Opposed.

16 CHAIRWOMAN ASHFORD: So moved.

17  
18  
19

Motion Carried

20 CHAIRWOMAN ASHFORD: As long as we've just completed  
21 the discussion with the subcommittee, but questions were  
22 raised about the potential of e-mails going back and forth  
23 amongst the committee members and lobbying efforts by  
24 outside parties. And I'd like Donna to address that  
25 briefly.

79

1 ASSISTANT ATTORNEY GENERAL EMMINGHAM: With the issue  
2 of e-mails, as you all probably know because there's  
3 something in the paper every six months or so where some  
4 city government or other state agency is in trouble for  
5 communicating via e-mail, e-mail does constitute Board  
6 action when as Board members you're communicating amongst  
7 yourselves as opposed to just disseminating information.  
8 So please be careful, especially with this new  
9 subcommittee with all the issues that -- even the Board --  
10 is dealing with that you not communicate information back  
11 and forth between you and -- now, it's appropriate  
12 obviously for Ron or Brandi or the Chair or Board members  
13 to send information out to the committee, but not for  
14 there to be this discussion back and forth.

15 And as for the lobbying issue, unfortunately you're  
16 public members of a board, and so members of the public  
17 will be approaching you about issues that come before you.  
18 Where it's inappropriate is where there's an appeal  
19 pending before you and you could be exposed to any  
20 information that's outside the record that you'll be  
21 reviewing.

22 So does anybody have any questions about either of  
23 those?

24 BOARD MEMBER PHILLIPS: Could you expand on what you  
25 just said a little bit?

80

1 SECRETARY FULLER: I think the comment and what I  
2 think brought this conversation to the Board here today is  
3 that an outside interest sends an e-mail to a committee  
4 member, the committee member sends it out. An alternate  
5 method might have been for the committee member to receive  
6 the information because you're a public member, send it to  
7 me as the secretary, let me disseminate it, and that way  
8 there's no hint of discussion or anything related to that.

9 So that would have been an optional method to handle that.  
10 If you're presented with information that may be useful,  
11 submit it to me as the secretary, and then I can send it  
12 back out as information, and then I think everybody is --  
13 ASSISTANT ATTORNEY GENERAL EMMINGHAM: Or bring it to  
14 the meeting and disseminate it.  
15 SECRETARY FULLER: Or bring it up to the meeting,  
16 either way.  
17 It's the discussion that puts you in jeopardy.  
18 ASSISTANT ATTORNEY GENERAL EMMINGHAM: Because  
19 members of the public obviously aren't privy to those  
20 e-mails. And so that's when you get into issues that  
21 you're violating the Open Public Meetings Act.  
22 CHAIRWOMAN ASHFORD: Tom, did that help answer your  
23 question?  
24 BOARD MEMBER PHILLIPS: No. I was -- actually I was  
25 referring to the lobbying part.

81

1 ASSISTANT ATTORNEY GENERAL EMMINGHAM: Maybe I need  
2 some more actual information because I'm not sure exactly  
3 what Mr. Phillips --  
4 BOARD MEMBER PHILLIPS: Maybe I was thinking of a  
5 phone call, if someone calls you and wants to express  
6 their opinion on a particular issue, is it appropriate to  
7 listen to their opinion?  
8 ASSISTANT ATTORNEY GENERAL EMMINGHAM: That's up to  
9 you whether you want to listen to them or not.  
10 It's not appropriate when it's on a pending appeal,  
11 you know, when you know there's going to be a citation or  
12 something that you'll be -- it wouldn't be appropriate for  
13 one of the parties to an appeal that's coming before you  
14 to talk to you before the Board hears the appeal.  
15 BOARD MEMBER PHILLIPS: Oh, I see.  
16 SECRETARY FULLER: That's a judicial function then,  
17 rather than a --  
18 BOARD MEMBER SIMMONS: Well, I just wanted to let the  
19 Board members know that as part of the subcommittee, I did  
20 get an e-mail from a gentleman trying to set up a  
21 conference call because he had issues with the HVAC  
22 proposal. And my response to the gentleman was -- he  
23 said, you know, "I want this person, this person, this  
24 person, we're all going to get on a conference call and  
25 talk about it."

82

1 And I said, "This is a public hearing. And in my  
2 opinion you need to bring your discussion to the meeting  
3 and it will take place there. I won't be party to a  
4 conference call regarding this information."

5 So that's how I handled it. And I feel that's  
6 probably the appropriate way to handle it. I don't want  
7 to talk about the issues in a conference call with a bunch  
8 of people that have an agenda possibly. That's what the  
9 meeting is for in my opinion.

10 So I just kind of wanted to let you know how that  
11 took place.

12 CHAIRWOMAN ASHFORD: I'd personally like to thank the  
13 subcommittee for their hard work on this issue. This was  
14 the first item brought to that subcommittee for an  
15 in-depth review. I think you all did an excellent job. I  
16 appreciate all the spare time that you gave up to put into  
17 it. Thank you, Tom, and committee members.

18

19 Other

20

21 CHAIRWOMAN ASHFORD: Not on the agenda, but Jim  
22 Simmons attended a home-inspection meeting. Can you give  
23 us a two-minute -- two minutes.

24 BOARD MEMBER SIMMONS: Sure, absolutely.

25 Yeah, what I attended was the first meeting put on by

83

1 the Department of Licensing in regards to home inspector  
2 licensing. And they had a bunch of questions put out.  
3 The primary attendees at the meeting were home inspectors,  
4 of course. And they were getting public feedback and  
5 public input because they had a request that the  
6 Department of Licensing oversee the licensing of these  
7 people.

8 And a synopsis of the all-day meeting, most of the  
9 people at the meeting were in support of that. The home  
10 inspectors see the importance of being licensed. And one  
11 of the things that continually came up in their comments  
12 was they want to have the bar raised high enough that  
13 people have to be qualified to be able to get this  
14 certification. They don't want it just handed to  
15 everybody, which I thought was a very good thing. They  
16 want people to be tested. They want to know that the  
17 people are qualified to actually do what they're going to  
18 look at as far as home inspections and commercial  
19 inspections.

20 I was the only one there that talked to the issue of  
21 the electrical component of that, which we have discussed  
22 many times on this Board, and told them in my opinion they  
23 need to be qualified to also look at the electrical  
24 systems. Because they are in many cases -- I've thought  
25 about this issue back and forth and back and forth, and

84

1 none of us is going to have the opportunity to look at a  
2 house when it's sold at the electrical system. These  
3 people are not going to buy a permit to have an L & I  
4 inspector go in and look at the electrical when a house is  
5 sold. There's no mandate, no standard for that. It's  
6 just not going to happen. So who is the only person that  
7 is going to have that opportunity? And that's the home  
8 inspector. And in my opinion, that person needs to be  
9 qualified to know what they're looking at and to be able  
10 to say, "This has issues. I see a problem." They don't  
11 need to be an expert. They don't need to be a journeyman  
12 electrician. But they need to know enough to be able to  
13 say, "Look, this doesn't look right" or to note to a  
14 person, you know, "This house has an old fuse box. It has  
15 no main breaker." You need to be aware of this and be  
16 able to understand what they're saying.

17 So I don't know where it's going to go. They are  
18 having another public meeting. I believe it's in  
19 Wenatchee here in a few weeks.

20 And one of the other things that came out of it which  
21 was interesting was, they would prefer that their  
22 licensing be under the purview of the Department of  
23 Licensing rather than the Department of Labor and  
24 Industries, which was an interesting side note. And that  
25 came up several times. And I think the reason for that is

85

1 that the Department of Industries has a little bit of a  
2 reputation with ergonomics and different things they've  
3 tried to get through that people just say, you know, "We'd  
4 rather not deal with them." But I don't know where it's  
5 going to go. This is just the first of a couple public  
6 hearings they're going to have. And hopefully some  
7 legislation will be produced from that for next year to  
8 actually move that forward.

9 CHAIRWOMAN ASHFORD: Thank you, Jim. That was more  
10 than two minutes.

11 BOARD MEMBER SIMMONS: Was it two? Two and a half?

12 Sorry.

13 CHAIRWOMAN ASHFORD: And sad to say, this is Philip  
14 Parker's last meeting. He is moving to, what, the  
15 transportation board?

16 BOARD MEMBER PARKER: Well, I'm an applicant at this  
17 point. I'm still an applicant.

18 But I'd like to take a moment and thank Gloria and  
19 thank the Board for their patience and training and help  
20 getting me started and getting me somewhat up to speed.  
21 I'd like to thank Ron and the Department for their efforts  
22 to keep me up. I enjoyed the Board. I'm sad leaving it.

23 And I enjoyed my tenure. Thank you.

24 CHAIRWOMAN ASHFORD: Thank you.

25 And one last little item.

86

1 BOARD MEMBER PHILLIPS: I also wanted to bring up --  
2 I'd like two minutes of a burden-of-proof issue.

3 CHAIRWOMAN ASHFORD: Two minutes.

4 BOARD MEMBER PHILLIPS: Thank you.

5 This issue of burden of proof has been raised many  
6 times. It often distracts from the issue of the  
7 violations that we see for citations. It seems that the  
8 administrative law judges and the appellant's attorneys  
9 are often caught off guard by the whole issue of who has  
10 burden of proof. We have a WAC rule that requires all  
11 appellants have burden of proof.

12 I'm of concern that if a citation appeal were to move  
13 beyond here to Supreme Court that it may be struck down  
14 just because of that issue. And I'm also concerned that  
15 it's just not right. I don't think it's Constitutional.  
16 I don't think any of us would be happy if we were given a  
17 citation by a government official and then told, "Now  
18 prove you're innocent."

19 So I would like this issue to come up preferably at  
20 the next meeting for discussion. And I would like to see  
21 a motion made that would ask the Department to change the  
22 language in the WAC's so that burden of proof be on the  
23 accusers and not on the appealers. Thanks.

24 CHAIRWOMAN ASHFORD: Can that be an agenda item that  
25 goes for the next rule change?

87

1 SECRETARY FULLER: That would be up to you.

2 CHAIRWOMAN ASHFORD: It sounds good to me.

3 BOARD MEMBER PREZEAU: Can I make a suggestion maybe?

4 I'm thinking that -- and I don't know. Maybe Donna wants  
5 to weigh in on this issue. But what I'm thinking is that  
6 maybe at the next Electrical Board meeting we have a  
7 presentation that gives the history of that, when that WAC  
8 rule was put in place, if there's something that's  
9 conflicting in statute or if there's something that  
10 parallels in the statute or if there's nothing in statute  
11 and have maybe the Assistant Attorney General's office  
12 make some presentation on that and the Constitutionality  
13 and whether or not it's something that can move forward  
14 anyway.

15 ASSISTANT ATTORNEY GENERAL MORTINSON: Madam Chair, I  
16 have had this come up in cases that have gone to superior  
17 court from this Board challenging the burden of proof.  
18 Unfortunately the one that's before the court now may not  
19 go forward due to illness of the appellant. And I don't  
20 know if I have asked, but I will ask our law clerk to do  
21 research on the Constitutionality of this rule, and I will  
22 coordinate with the new Board advisor on this before the  
23 next meeting so we will have some research to back up the  
24 issue of Constitutionality of the rule that we can present  
25 to the Board.

88

1 CHAIRWOMAN ASHFORD: So Ron, they'll take care of  
2 that side. Can you give the history of the language in  
3 the WAC as it appears now, can you bring that at the next  
4 meeting?

5 SECRETARY FULLER: We'll get what we can. It's been  
6 there -- well, it was way before me.

7 If you remember, we used to have a set of Board  
8 rules. So it's going to be having to go back and research  
9 those. I think maybe it's just a piece of the  
10 presentation by the AG's office because they've -- right  
11 now I'm down a technical specialist, so I'm not sure that  
12 I can do what it takes to get that one researched. I  
13 think it's actually almost like a legal search back into  
14 the history.

15 So can you do that, Shelley? Can you add that as  
16 part of your presentation, doing the history of the WAC?

17 ASSISTANT ATTORNEY GENERAL MORTINSON: Yes, I can do  
18 that.

19 And Donna reminded me, which happens when you get  
20 hold, the research has been done. I thought I had asked,  
21 but Donna happily reminded me that the research has been  
22 done. So it would be a matter of reviewing it and

23 presenting it to the Board at the next meeting.  
24 CHAIRWOMAN ASHFORD: This is also Donna's last  
25 meeting. She's moving to the Department of

89

1 Transportation. I'm not sure if everyone's had the  
2 opportunity to meet Steven.

3 ASSISTANT ATTORNEY GENERAL NASH: My name is Steve  
4 Nash. I'm from the Spokane AG's office. And Donna will  
5 introduce me, so I'll sit down and I'll stand back up in a  
6 second.

7 ASSISTANT ATTORNEY GENERAL EMMINGHAM: He's stealing  
8 all my thunder.

9 I am sad to say this is my last meeting with the  
10 Board. I'll be transferring to a position within the AG's  
11 office but representing the Department of Transportation.  
12 There's a big new freeway that is finally going in over in  
13 Spokane, so I will be working primarily on that.

14 So Steve Nash has gladly accepted the opportunity to  
15 represent this Board as well as the Plumber's Board and  
16 the Board of Boiler Rules, which have been a favorite part  
17 of my job. He has worked with the Department of Labor and  
18 Industries for 17 years, ten of those with the Attorney  
19 General's office, and I have had the pleasure of working  
20 with Steve for six of those years. And so I know that you  
21 will really enjoy his sense of humor and his very  
22 laid-back manner and his spot-on legal advice.

23 Lastly, I just want to thank all of you for the time  
24 that I have been able to work with Ron and all the Board  
25 members. The level of expertise that you bring and

90

1 professionalism to this Board as volunteers just impresses  
2 me beyond anything. The State is so lucky to have people  
3 like you that do this. And I consider it a great  
4 privilege that we do not have any newspaper articles or  
5 lawsuits involving this Board, and I hope that that  
6 continues.

7 BOARD MEMBER PREZEAU: So do we.

8 ASSISTANT ATTORNEY GENERAL NASH: There's no  
9 guarantee of that at this point.

10 But anyway, I appreciate the chance to come on board.  
11 I spent some time with the apprenticeship council for  
12 about two, two and a half years, so I feel like I'm  
13 hopefully walking in somewhat familiar waters. But I look  
14 forward to it. Thank you.

15 CHAIRWOMAN ASHFORD: Jim and I both have applied for  
16 reappointment. That is in limbo. So we will probably be  
17 here again in October. If not, it's been great working  
18 with you all.  
19 BOARD MEMBER SIMMONS: We just don't know, do we.  
20 CHAIRWOMAN ASHFORD: We don't know.  
21 Any further business? David A.  
22 BOARD MEMBER (D.A.) BOWMAN: I was late, so I don't  
23 know if you've already dealt with this.  
24 But we had business that was tabled at the last  
25 meeting in regards to an appeal that was in the progress

91

1 that was tabled so that discussion could take place  
2 between Ron and the Department. But I assume that those  
3 have taken place and that was all resolved.  
4 ASSISTANT ATTORNEY GENERAL MORTINSON: To answer your  
5 question, Ron drew up a settlement agreement. I reviewed  
6 it. It looked good. The case with -- it was ITC Systems  
7 and Kerry Cox, and that has been settled.  
8 CHAIRWOMAN ASHFORD: Any further business?  
9 Phillip, would you like to make a motion to adjourn?  
10  
11 Motion  
12  
13 BOARD MEMBER PARKER: I so move.  
14 CHAIRWOMAN ASHFORD: Is there a second?  
15 BOARD MEMBER: Second.  
16 CHAIRWOMAN ASHFORD: All in favor?  
17 THE BOARD: Aye.

18  
19 Motion Carried  
20  
21 CHAIRWOMAN ASHFORD: 11:05, the Board meeting is  
22 adjourned.  
23 (Whereupon, at 11:05 a.m.,  
24 proceedings adjourned.)  
25

92

1 CERTIFICATE  
2  
3 STATE OF WASHINGTON )  
4 ) ss.  
5 County of Pierce )

5

6 I, the undersigned, a Certified Court Reporter in and  
for the State of Washington, do hereby certify:

7

8 That the foregoing transcript of proceedings was  
9 taken stenographically before me and transcribed under my  
10 direction; that the transcript is an accurate transcript  
11 of the proceedings insofar as proceedings were audible,  
12 clear and intelligible; that the proceedings and resultant  
13 foregoing transcript were done and completed to the best  
14 of my abilities for the conditions present at the time of  
15 the proceedings;

16 That I am not a relative, employee, attorney or  
17 counsel of any party in this matter, and that I am not  
18 financially interested in said matter or the outcome  
19 thereof;

20

21 IN WITNESS WHEREOF, I have hereunto set my hand on  
22 this 27th day of August , 2007, at Tacoma,  
Washington.

23

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25

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