



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule: May 16, 2016

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: This rulemaking reviewed the plumber certification rules for housekeeping changes in order to further clarify the rules. The plumber certification rules are reviewed on a regular basis to: ensure the rules are consistent with the national consensus standards; industry practice; and to clarify the rules.

The rule changes put forward included:

- Amending the rule to be consistent with the national consensus code;
- Encourages the visible display of the plumber certificate of competency; and
- General housekeeping changes.

The Plumbing Program worked with the Washington State Advisory Board of Plumbers, with representation from business, labor, and the public, regarding employer compliance with plumbing rules. The Advisory Board of Plumber has endorsed the proposed changes.

Citation of existing rules affected by this order:

Repealed: See Attachment (a)
Amended: See Attachment (a)
Suspended:

Statutory authority for adoption: Chapter 18.106 RCW

Other authority: Uniform Plumbing Code

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 15-20-124 on October 7, 2015.

Describe any changes other than editing from proposed to adopted version:

The adopted language had a few changes from the text of the proposed rule as published in the CR 102. In WAC 296-400A-035, WAC 296-400A-070, and WAC 296-400A-120, the numbering was changed and language was moved from one subsection to another for clarification purposes. The wording in the title of WAC 296-400A-024 was changed and the language was change to encourage but not require the visible display of plumber certificates of competency.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Beverly Clark phone (360) 902-6272
Address: Post Office Box 44400 fax (360) 902-5292
Olympia, Washington 98504-4400 e-mail Beverly.Clark@Lni.wa.gov

Date adopted: April 5, 2016

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 05, 2016

TIME: 10:20 AM

WSR 16-08-100

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	<u>21</u>	Repealed	<u>3</u>
-----	----------	---------	-----------	----------	----------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	<u>21</u>	Repealed	<u>3</u>
-----	----------	---------	-----------	----------	----------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTIONS:

Chapter 296-400A-024, How should a person performing plumbing wear or visibly display their certification, trainee card, or endorsement?

- The wording in the title of WAC 296-400A-024 was changed.
- Clarifies the requirement under RCW 18.106.020 that an individual working in the plumbing trade must have in their possession photo identification and a plumber certificates of competency.
- Encourages the visible display of plumber certificates of competency.

AMMENDED SECTIONS:

Chapter 296-400A-005, What definitions do I need to know to understand these rules?

- Added a definition for “assist”, “calendar day”, and “control”.
- Under the definition “Continuity affidavit”, deleted “annually” and added “at the time of renewal”, “notarized” and a sentence about medical gas installers.
- Under the definition “Supervision”, deleted “or” and replaced it with “and”.
- Changed the word “journeyman” to “journey level”.

Chapter 296-400A-010, Plumbing certificate types and scope of work.

- Changed the word “journeyman” to “journey level”.
- Deleted a sentence in subsection (1) and (2).
- Replaced the words “apprentice permit” with “plumber trainee card”.

Chapter 296-400A-020, How do I obtain a certificate of competency?

- Changed the word “journeyman” to “journey level”.
- Deleted a sentence in subsection (1).
- Added information on backflow assembly test certification in subsection (2).

Chapter 296-400A-021, How do I obtain a medical gas piping installer endorsement?

- Changed the word “journeyman” to “journey level”.
- Added language to subsection (4).
- Deleted and added language to subsection (5) on medical gas endorsement examination.

Chapter 296-400A-022, What procedure is required for renewal of a journeyman medical gas endorsement?

- Changed the word “journeyman” to “journey level”.
- Added language in subsection (2).
- Changed the word “shall” to “must”.
- Added subsection (6) about affidavit of continuity and/or affidavit of review.

Chapter 296-400A-023, What process is required for renewal of journeyman, domestic pump specialty, and residential specialty plumber certificates of competency?

- Removed “journeyman, domestic pump specialty, and residential specialty” from the title.
- Changed the word “journeyman” to “journey level”.
- Changed a reference in subsection (2).
- Added a new subsection (6) about backflow specialty plumber certificate holders.

Chapter 296-400A-028, What are the requirements for continuing education and classroom training? What are the general and continuing education course requirements for journeyman, residential specialty plumbers, domestic pump specialty plumbers, and plumber trainees?

- Changed the word “journeyman” to “journey level”.
- Changed the words “at least” to “a minimum of”.
- Changed the word “shall” to “must”.
- Changed the word “code” to “trade related classes”.
- Added language in subsection (2), (6), (7), (13), and (20).
- Changed the word “must” to “may” in subsection (16).

Chapter 296-400A-029, What is the implementation schedule for the continuing education course requirements?

- Added the words “journey level and residential specialty”.

Chapter 296-400A-030, Do I need a temporary permit?

- Changed the word “journeyman” to “journey level”.

Chapter 296-400A-031, How do I qualify for a temporary permit?

- Changed the word “journeyman” to “journey level”.

Chapter 296-400A-033, What is the duration of a temporary permit?

- Changed “one hundred twenty days” to “four months”.

Chapter 296-400A-035, How can I be placed on inactive status?

- Removed the word “annual” in subsection (3).
- Added language on minimum hours in subsection (4)
- Added subsection (5) and (6).

Chapter 296-400A-045, What fees will I have to pay?

- Changed the word “journeyman” to “journey level”.
- Changed “120 days” to “four months”.
- Removed information about honorary plumbing certification.
- Changed the word “shall” to “will” and “shall” to “must” in the notes.

Chapter 296-400A-070, Can I work as a certified plumber in Washington without taking the Washington state plumbers' competency examination?

- Moved language from subsection (3) to the intro section.
- Changed the word "journeyman" to "journey level".
- Deleted the old subsection (4).
- Added subsection (5) about reciprocity applications.
- Added subsection (6) about reciprocal certificates.
- Added subsection (7) about reciprocal certificate holders.

Chapter 296-400A-100, For certification purposes, how are "years of employment" computed and documented?

- Change a reference in subsection (4).
- Changed the word "journeyman" to "journey level".

Chapter 296-400A-120, What do I need to know about plumber trainee certificates (excluding backflow assembly maintenance and repair specialty certification)?

- Removed the language "excluding backflow assembly maintenance and repair specialty certification" from the title.
- Changed the word "journeyman" to "journey level".
- Added language to subsection (1), (2), and (4) and changed the numbering.

Chapter 296-400A-121, What do I need to know about trainee experience and plumber examination requirements for the journeyman and specialty plumber (excluding the backflow assembly maintenance and repair specialty)?

- Changed the word "journeyman" to "journey level".
- Removed the words "excluding the backflow assembly maintenance and repair specialty" from the title.
- Renumbered several sections.
- Added in language about supervision of trainees.
- Changed the word "shall" to "must".

Chapter 296-400A-140, How does the department enforce plumbers certification requirements?

- Changed the word "journeyman" to "journey level".

Chapter 296-400A-400, What are the monetary penalties for violating certification requirements?

- Changed the word "shall" to "will"

Chapter 296-400A-425, What if I owe outstanding penalties related to a department issued plumber infraction?

CR 103 RULE-MAKING ORDER (RCW 34.05.360)

Department of Labor and Industries
Fraud Prevention and Labor Standards
CR-103 Filing Date: April 5, 2016
Hearing Date: November 17, 2015
Page 4

Attachment (a)
(Purpose Statement)

-
-
- Changed the word “shall” to “must”.

Chapter 296-400A-430, If I am a certified backflow assembly maintenance and repair, journeyman, or specialty plumber do I need to be a registered contractor under chapter 18.27 RCW?

- Changed the word “journeyman” to “journey level”.

REPEALED SECTIONS:

Chapter 296-400A-036, How can I maintain my plumbing certificate as an honorary accomplishment?

- This section has been repealed.

Chapter 296-400A-122, What do I need to know about trainee experience and certification, and the blackflow assembly maintenance and repair specialty examination requirements?

- This section has been repealed.

Chapter 296-400A-135, How does the department enforce trainee supervision?

- This section has been repealed.