

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

7
8 TRANSCRIPT OF PROCEEDINGS

9
10 Thursday, October 27, 2011
11

12
13 BE IT REMEMBERED, that a quarterly Electrical Board
meeting was held at 9:00 a.m. on Thursday, October 27,
14 2011, at the address of Labor & Industries Headquarters,
7273 Linderson Way S.W., Tumwater, Washington, before
15 CHAIRWOMAN TRACY PREZEAU, BOARD MEMBERS DON KOPCZYNSKI
(Vice Chair), RODNEY BELISLE, TOM PHILLIPS, JANET LEWIS,
16 CATHLEEN BRIGHT, DAVID CORNWALL, BRUCE TURNER, DON BAKER,
ROCKY SHARP, GEOFF NEWMAN, and SECRETARY/CHIEF ELECTRICAL
17 INSPECTOR RONALD FULLER. Also present was ASSISTANT
ATTORNEY GENERAL PAM REULAND representing the Board.

18
19 WHEREUPON, the following proceedings were held, to
wit:

20
21
22 Reported by:

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

24 EXCEL COURT REPORTING

25 16022-17th Avenue Court East
Tacoma, WA 98445-3310
(253) 536-5824

Thursday, October 27, 2011
Tumwater, Washington

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1 PROCEEDINGS

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CHAIRWOMAN PREZEAU: I have 9:00. So good morning
4 everyone. I would like to call the October 27, 2011,
5 Washington State Electrical Board meeting to order.

6

7

Item 1. Approve Transcripts From July 28, 2011,
8 Electrical Board Meeting

9

10

CHAIRWOMAN PREZEAU: And the Chair will entertain a
11 motion to adopt the July 28, 2011, transcripts.

12

13

Motion

14

15

BOARD MEMBER KOPCZYNSKI: So moved.

16

BOARD MEMBER BELISLE: Second.

17

CHAIRWOMAN PREZEAU: It's been moved and seconded to
18 adopt the transcripts. All those in favor signify by
19 saying "aye."

20

THE BOARD: Aye.

21

CHAIRWOMAN PREZEAU: Opposed? So moved.

22

23

Motion Carried

24

25

CHAIRWOMAN PREZEAU: So with that, Ron, I'm moving

1 you right through the agenda just like you asked.

2

3 Item 2. Departmental/Legislative Update

4

5 CHAIRWOMAN PREZEAU: Is Mr. Rodriguez going to join
6 us?

7 SECRETARY FULLER: He is. He's up in a leadership
8 meeting right now. He's supposed to be here.

9 Why don't I -- if that's okay, I'll just skip onto
10 the Secretary's Report and do that until he comes.

11 CHAIRWOMAN PREZEAU: That'll be perfect.

12

13 Item 4. Secretary's Report

14

15 SECRETARY FULLER: So Secretary's Report, you all
16 have a copy of the latest budget in your folders.

17 The fund balance is up to \$5.1 million. So it's
18 continued to grow through September. I expect October
19 that it will probably remain pretty static because permit
20 sales in October are down a little bit which would
21 normally be expected for this time of year. So good news
22 on the budget is it's still strong.

23 The customer service part of the secretary's report
24 shows that we're pretty stable again on use of the
25 Internet for permit purchasing and request for

1 inspections. The homeowner sales on-line continues to
2 increase. So we're up to 48 percent of all the homeowner
3 permits purchased on-line now. So that's good news that
4 that message is finally getting out to the consumers that
5 they can do their work on-line with us rather than coming
6 to the counters and using the mail.

7 WAC rules, we're not in the process for any right
8 now. We'll talk a little bit about that when Jose comes
9 down to tell us about what our plans for the future are.

10 No new testing lab applications. No new approvals to
11 report.

12 Our performance measures, we're at 92 percent on the
13 first quarter of all inspections made within 48 hours of
14 the request.

15 Focused citations. That's the no license, no
16 electrician certificate and no permit. We made 797
17 citations and warnings for the quarter. The goal was 819.
18 So we came fairly close as a program. Some of the regions
19 were down. But the ECORE team did their normal best and
20 exceeded their goals for the quarter.

21 Inspection stops per day. The inspectors averaged
22 ten and a half inspections per day that they worked this
23 quarter. We wrote a little over 10,000 where we would
24 disconnect electrical power. So those were the serious
25 corrections where one correction would cause a

1 disconnection.

2 Licensing process and turnaround time is down to 3.7
3 days. So this year's goal actually -- that's actually a
4 typo that I didn't catch. The goal for this year is
5 actually three days. So we're going to continue to try to
6 get the turnaround times even shorter than they are.

7 Plan review backlog is averaging about 4.3 weeks
8 right now for an average set of plans. They, again, had a
9 big volume of plans come in during the summer. We've
10 added another plan review staff now. He started two weeks
11 ago. So their backlog should start coming down pretty
12 rapidly at this point I think.

13 Licensing. Just some staffing adjustments that we
14 made dropped our -- dropped calls off 60 percent over the
15 same quarter last year. So just, again, looking for all
16 the process improvements that we can.

17 Processing turnaround time's holding pretty steady.
18 It's just slowly improving.

19 Computer tracking that's blocking renewals due to
20 outstanding citations and suspensions and things like that
21 I just -- is working really well. So we're catching a lot
22 of people that are basically debtors that are trying to
23 take license actions, and they're being blocked now. So
24 the computers are working good for us there.

25 And lean training, we'll talk a little bit about that

1 when Jose's up here too. But we're beginning the -- we're
2 at the end of the project actually right now. The team
3 only has one more meeting to go, and that's just about how
4 to develop their presentation for the inspectors and for
5 November 30th. And full implementation will begin January
6 1st for all the regions.

7 So that is everything that I have for you this time.

8 So any questions on anything? Rocky.

9 BOARD MEMBER SHARP: Yeah. How do you come up with
10 like on citations as a goal? How do you figure out what a
11 goal would be for that?

12 SECRETARY FULLER: The number actually came out of
13 what the inspection inspectors did in FY10. So we took a
14 year-long period and basically added five percent to it.
15 So that's the goal.

16 BOARD MEMBER SHARP: Okay. So even if permits are
17 down, the goal still could be higher than the amount of --

18 SECRETARY FULLER: I would actually expect them to be
19 able to do more compliance if permits are down because as
20 soon as the economy went down, compliance went up because
21 people are out working and moonlighting and not buying
22 permits and those things. Usually it's the reverse with
23 permit sales.

24 BOARD MEMBER SHARP: All right. I was kind of
25 wondering how you come up with that. Thank you.

1 CHAIRWOMAN PREZEAU: Ron, I have a couple questions.

2 One is -- so at last July's meeting you indicated
3 that the ScoreCard was going to change a little bit like
4 you were going to look at presenting it in a different
5 way, which I understand that you're reporting on a period
6 of time. Perhaps we haven't fully transitioned to it
7 looking differently. Is that -- because I'm looking at
8 this thinking there's a couple of things that have
9 changed. Is this going to change more or are we --

10 SECRETARY FULLER: No.

11 CHAIRWOMAN PREZEAU: Specifically, you know, the
12 number of citations is now a number rather than a percent,
13 and the turnaround time for plan review is now a time
14 frame rather than sheets per day. But is it your plan
15 that this is going to change --

16 SECRETARY FULLER: This is the new one, which you
17 hadn't seen before. Like the focus citations went from
18 the percentage number to the number. Because we felt that
19 was more a realistic thing to measure off of for people.

20 CHAIRWOMAN PREZEAU: And then is it possible, do you
21 know what -- just to give us some frame of context, seeing
22 this turnaround time for plan review and noting at the
23 last meeting you indicated that you had to reshuffle plan
24 review because you had like 90 plans in one month or
25 something. It was like a huge, huge number. Do you know

1 what the turnaround time has been previously in terms of
2 average turnaround time for plan review versus sheets --
3 number of sheets per day?

4 SECRETARY FULLER: The best we've ever been is about
5 three weeks. And that's unacceptable to me, to be honest
6 with you. By adding the new plan reviewer on, I think
7 they should be able to meet their goal which is two weeks.
8 That's what I want an average to be. That's their goal.

9 BOARD MEMBER SHARP: Could you give the name of that
10 plan reviewer, if you would?

11 SECRETARY FULLER: Trent Harris. He's an
12 ex-inspector. He was one of the layoff people actually.
13 He had gone to work for DOSH. And we brought him back.

14 BOARD MEMBER TURNER: I just had a question about the
15 plan review time. That's because of volume or size of
16 project or a combination of both?

17 SECRETARY FULLER: A combination of both. In I think
18 it was July, like Tracy said, we had 90 plans in there at
19 one time, which is an all-time high. We've never been
20 even close to that. It's usually like 50 at a time at the
21 most. So that, plus we had some really big ones this
22 year. We had several of them that were over 50 electrical
23 sheets. And when you get one of those -- I mean, one of
24 them was 76 sheets I think. And that's almost three
25 months work for a guy right there. So we had some pretty

1 decent-size projects this year, plus the volume. And it
2 just really hurt.

3 BOARD MEMBER SHARP: We only get four weeks to fit
4 those.

5 SECRETARY FULLER: One of the big problems that we
6 have every year -- and part of what the lean process I
7 hope's going to help work on is what we get and when we
8 get it from the customers, which are primarily the
9 engineers. This year we had a huge problem with engineers
10 submitting schools on June 1st. The deadline is June
11 30th. That's a problem. They make their emergency mine,
12 and then we can't respond. So that was a huge issue this
13 year even more than normal.

14 Part of the lean process also evaluates where the
15 delays are. So if we're getting our work to work on too
16 late, that's an issue that we need to work on. So we'll
17 be having chats.

18 One of the things that Bill Eyecroft (phonetic), the
19 plan review supervisor is -- on his expectations this year
20 is to have three statewide meetings across the state with
21 engineers to talk about what our concerns are. Basically
22 a big stakeholder meeting with engineers. Because we've
23 got to change that method of operation on their end
24 because we can't support them if they don't support us.

25 BOARD MEMBER CORNWALL: I was just wondering what the

1 staffing adjustments were. It's a huge decrease --
2 (inaudible). Was this just transitioning people from one
3 position to another position or were more people brought
4 on?

5 SECRETARY FULLER: No. We have brought on one
6 additional person. Through the summer, though, we were
7 actually down people because we had a couple people out
8 making their families larger. And so that really hurt
9 actually. But they still improved. And the way they did
10 it was by focusing more on assignment and distribution of
11 work and getting people more focused rather than broad
12 spectrum.

13 Anytime somebody says they're multitasking to me, I
14 get nervous because your efficiency goes down when you
15 multitask, period. So we're trying to get them much more
16 focused on what they're doing. That's helped them a lot.
17 Dedicated people to do dedicated things more.

18 CHAIRWOMAN PREZEAU: Any other questions for Ron
19 under Secretary's Report?

20

21 Item 2. Departmental/Legislative Update

22

23 CHAIRWOMAN PREZEAU: All right. I notice that
24 Mr. Rodriguez has joined us. We want to go back to the
25 second agenda item and have the Departmental/Legislative

1 Update. If you're ready, Mr. Rodriguez, please.

2 MR. RODRIGUEZ: I apologize for showing up a little
3 bit late.

4 CHAIRWOMAN PREZEAU: I understand you had another
5 meeting to be at.

6 MR. RODRIGUEZ: Yeah, about electrical.

7 I don't have a lot to report today. But I'll just
8 share the information that I do have.

9 (Board Member Bright now
10 joining the proceedings.)

10

11 Obviously Ron has talked to you all already about the
12 electrical lean project. And I just want to let you know
13 that we're very excited about what the electrical lean
14 project will be bringing for our staff. We anticipate
15 that it's going to have very good results for the program
16 and for the staff. And we're getting to the point now
17 where we have now identified standard work for both
18 inspections and compliance. And we are in the final
19 stages of doing the training for all the inspectors. And
20 by January 1st, everybody should be operating off the same
21 sheet of music, so to speak.

22 And you also had the discussion about the ScoreCard
23 goals. So expectations will be really clear to folks;
24 although, right now there's still a little debate about
25 that. But change is always difficult. And right now

1 we're in the change management phase. But I think we'll
2 work through that. And our goal will be to provide
3 better results and better service for our customers.

4 The other thing that I just wanted to bring to the
5 Board here this morning is as you all know, or may not
6 know, there had been an extension on the rules moratorium.

7 Executive Order 1006 has now been extended by the
8 Governor through December of 2012. The difference between
9 the language in this moratorium extension and the actual
10 moratorium, we're still kind of working through that. But
11 it basically leaves some room for some rules and changes
12 to be able to go forward. But the exemption language,
13 while it allows that, it's pretty specific in that if it's
14 an issue that's contentious, if there's objections by
15 stakeholders -- and I don't know what that level of
16 objection is, but if there's some objections, obviously
17 those things that affect public safety can move forward.
18 Anything that has to do with federal compliance or
19 reciprocal funding or matching funding that's tied to
20 rules, those kinds of things can move forward. So I think
21 the challenges for the Board and for our stakeholders
22 might come with the code adoption.

23 Just had a brief conversation with Ron. We think
24 that that should move forward. We think that it meets
25 some of the criteria for an exception. But again, we have

1 to take a look at what the repercussions will be from
2 trying to move forward with that.

3 So that's the thing on the rules moratorium. I did
4 bring copies of it. If you all don't have copies of it, I
5 could provide those to you.

6 CHAIRWOMAN PREZEAU: That would be great. I have not
7 seen them previously.

8 MR. RODRIGUEZ: Pardon me?

9 CHAIRWOMAN PREZEAU: I have not seen them previous.
10 So that would be -- I would appreciate that very much.

11 MR. RODRIGUEZ: I just noticed the first page came
12 out a little crooked. Sorry about that.

13 CHAIRWOMAN PREZEAU: We'll forgive you.

14 MR. RODRIGUEZ: There you go. My own admin this
15 morning.

16 The last thing I kind of wanted to share was just,
17 again, something you may already have heard of, but on
18 budget reductions, the Governor has been working to try to
19 put together the gap in the budget, which I believe was
20 around somewhere between \$2.4 to 2.6 million. It's
21 General Fund. State is the fund that's affected. So it
22 doesn't necessarily affect the electrical program at this
23 point.

24 But each of the agencies was told to take a look and
25 try to develop a plan that would come up with ten percent

1 reduction in General Fund. For Labor and Industries, that
2 was \$3.8 million. And the programs that have general
3 funding in the agency are crime victims program, factory
4 assembled structures program, and the elevator program.
5 So it's a rather small group of programs that have that
6 funding. So to come up with a ten percent recommendation
7 that we made was that the crime victims program absorb
8 \$2.27 million of that through reduced benefits since
9 they're the -- how do you say it -- the last resort in
10 terms of insurance for that group.

11 And for my programs, the program that we put on the
12 table was the factory assembled structures. Both the
13 inspections and the plan review for those factory
14 assembled structures, which was about \$1.6 million and 20
15 FTE's -- about 20 FTE's in that program.

16 We've had to do this drill before, and FAS was put on
17 the table before, and OFM decided not take it last time.
18 It's a revenue producing thing. So anything that they
19 take away in General Fund they got to realize, at least in
20 these programs, it produces revenue. So that's not
21 something that they've been wanting to do. And we didn't
22 have a lot of willingness at the local level to absorb
23 some of these functions themselves. Building inspectors
24 could do these things, but again, the cities and counties
25 have already taken a lot of reductions in their staff, and

1 they have the same challenges that we have in being able
2 to do the inspections.

3 But -- so it's out there right now. I'm not sure how
4 it will turn out or when we'll have official notification
5 of whether or not that program or that money will or will
6 not be taken. We're hoping that it won't be. But we're
7 prepared.

8 We don't expect any impact right now on the
9 electrical fund as a result of these budget cuts. But at
10 10:00 today I think the Governor is set to make a speech
11 about how she proposes to close that budget gap. And then
12 on November 17th is when the next revenue forecast will be
13 coming out. And all predictions are that it's not going
14 to be much better.

15 And then last but not least, the special session -- I
16 forgot what the date was for the special session was
17 getting started. But again, a short session to deal with
18 the budget issues.

19 So a lot of things could happen in November. We're
20 just all kind of waiting, ready to respond as needed.

21 That's all I had to report. Any questions of me?
22 Yes.

23 BOARD MEMBER TURNER: I had one question. You
24 mentioned about the possibility of going forward and
25 adopting the code. Are we looking at possibly doing the

1 2011 or jumping to the '14?

2 SECRETARY FULLER: I'll respond to that.

3 My plan right now is that after session is over,
4 we'll start the rule-making process again with the
5 intention of adopting the '14 code at some point after
6 publish date. So we'll continue on with the '11 until
7 then.

8 BOARD MEMBER TURNER: With the '08.

9 SECRETARY FULLER: With the '08. I'm sorry. With
10 the '08.

11 So we're going to skip the '11 and go right to the
12 '14. Because it'll be such a short period of time. It'll
13 be a huge expense for everybody to train up to it. And
14 then by the time we got up to speed as the contractors,
15 we'd be into the next one. So we're just going to move
16 onto the next one.

17 But the reason that we are proposing to go ahead at
18 this point at least with adopting is that if we miss two
19 cycles in a row, that would be a huge impact to the
20 industry on a negative. So I think we need to move
21 forward with it probably.

22 We'll be looking at proposals like Jose said that are
23 basically not confrontational, that are positive. So
24 you're not going to probably be seeing any proposals get
25 through that have any objections to speak of or cost any

1 sort of money or time or effort for the industry. So it's
2 going to be a positive rule change when we're done with it
3 for everything.

4 So again, we'll start after session. Probably May
5 we'll begin the process. So you can be looking for my
6 newsletter to come out February or March laying out the
7 time lines and rules and the proposal forms and that sort
8 of thing. Typically, again, it takes us 10 months or 12
9 months at the most to get through the rule process. So
10 sometime next spring, probably in '13 we'll be there.

11 CHAIRWOMAN PREZEAU: Janet.

12 BOARD MEMBER LEWIS: Ron, I thought some of the
13 inspectors or all of them already had training on the 2011
14 code. That's one of my questions.

15 And then can you enlighten us as to what -- you say
16 it's going to be a huge expense to adopt it. I just -- I
17 don't know all of the expenses. I know training is one of
18 them and, you know, printing the new rule. But could you
19 go down and address those two issues?

20 SECRETARY FULLER: The inspectors have not had any
21 2011 training yet. They're going to get a little dip into
22 that on December 1st. And we'll continue to go through
23 and pick out what I call the highlights of the '11 changes
24 because they still need to know those when we move to the
25 '14.

1 The training costs us about \$50- to \$60,000 just to
2 do one session. Rule making for it's probably another
3 \$50,000 or so. So we're looking at \$100,000 or more, plus
4 the time that it takes to do that. That's just the money
5 to do training. So we have to do that. Contractors have
6 to do that too.

7 I've had five stakeholder meetings across the state
8 this fall so far. I've done Spokane, Tri Cities, Yakima,
9 Mount Vernon and Bellingham -- or Mount Vernon and Everett
10 -- and have heard nothing but positive responses except
11 from one person at Mount Vernon who doesn't support just
12 moving onto the 2014 code. Nobody that I've heard from at
13 this point wants to step into that '11 for a short-term
14 period.

15 CHAIRWOMAN PREZEAU: Tom.

16 BOARD MEMBER PHILLIPS: But don't the -- well, first
17 of all, the Washington cities is in favor of adoption of
18 the 2011. But don't the inspectors have to have training
19 anyway? So would it be additional training above what
20 they normally have?

21 SECRETARY FULLER: We're going to train them in the
22 highlights of the 2011 code. And then we'll be doing the
23 '14 code. We always train the inspectors for code
24 updates. That's just part of what we do. So they can
25 continue December 1st, they get -- they're going to have

1 eight hours of code update classes. But it's partly 2008,
2 it's partly 2011.

3 CHAIRWOMAN PREZEAU: Tom, to your knowledge, have any
4 cities adopted the 2011 code?

5 BOARD MEMBER PHILLIPS: No. We decided as a group
6 that we will not -- we don't want two codes in the state
7 two different years. It would be too confusing for the
8 industry.

9 SECRETARY FULLER: Everybody has to really speak up.
10 You're being pretty quiet. You got to project. We don't
11 have the mics today.

12 BOARD MEMBER PHILLIPS: Yeah, I'm having a hard time
13 hearing you too.

14 CHAIRWOMAN PREZEAU: So you decided not to adopt --

15 BOARD MEMBER PHILLIPS: The group -- Washington
16 cities have decided not to go ahead with adoption until
17 the State is going to move on. We don't want to cripple
18 or hurt the electrical industry by having two code
19 editions. It would just create too much confusion. We
20 have enough confusion already with the variety of nuances
21 of different jurisdictions. This would just make it
22 worse.

23 CHAIRWOMAN PREZEAU: So if there aren't any more
24 questions, I have some for you, Mr. Rodriguez.

25 So I'm just following up with July's meeting. If you

1 would be willing to report on the two FTE's. Two
2 permanent FTE's were hired or we expected that there was
3 going to be new additions to staffing starting September
4 1st. Are all of those positions current -- are they in
5 place? Did that happen September 1st?

6 SECRETARY FULLER: I'll answer.

7 CHAIRWOMAN PREZEAU: It was two full-time and then --

8 SECRETARY FULLER: We have one customer service
9 specialist. She's on board now. The plan reviewer's on
10 board. They're permanent. We had six inspector FTE's
11 non-permanent. Four of the regions have opted to hire
12 those. Two are going to wait and use their money next
13 year. So they'll be bringing on more -- they'll probably
14 use two in the summer.

15 CHAIRWOMAN PREZEAU: And then did we implement the
16 new color-coded licensing August 1st?

17 SECRETARY FULLER: (Showing sample.)

18 CHAIRWOMAN PREZEAU: Are you happy with that?

19 SECRETARY FULLER: August 15th. These are the new
20 certificates for electricians. This is a specialty card.
21 It's got the yellow stripe. I'll just pass these around.

22 They're kind of like a driver's license, only
23 heavier. More like credit card material. Red is the
24 trainee card. And green is the general journeyman
25 electrician card.

1 So we started sending those out about the 15th of
2 August. So if you're renewing now, you'll get the new
3 card. Contractors will not get a card anymore; they'll
4 only get the wall certificate.

5 The cost of the card is 72 cents, including the
6 mailing. So it's actually just cost us a couple pennies
7 more than the old card did. So these are pretty
8 indestructible.

9 I went so far as to put it on the floor and sprinkle
10 sand on it and rub it around with my foot. And it still
11 didn't destroy it. And you couldn't even see the
12 scratches hardly. So a huge improvement over what we've
13 had in the past.

14 CHAIRWOMAN PREZEAU: Well -- and especially in light
15 of the fact that you say it cost pennies more than the
16 previous.

17 SECRETARY FULLER: Yeah. The 72 cents, that's really
18 good. Because we were expecting \$5. And most of the bids
19 were under a dollar that we received.

20 It was actually a joint venture with us and with
21 Wildlife because they issue some cards that are very
22 similar. And so the printing contract went out together.
23 So besides all the thousands that we issue, they had about
24 an equal quantity, and I think that helped the price a
25 lot.

1 CHAIRWOMAN PREZEAU: And the only other thing that I
2 have is mostly a statement is we're hearing this month
3 about the lean process, and then the last July meeting
4 about the lean process. I know that next month's agenda
5 is going to be very full. I don't think it's going to be
6 feasible to have a more comprehensive conversation, but I
7 -- I don't know what other Board members are thinking.
8 But we've seen significant -- you've reported on
9 significant efficiencies being found and, you know,
10 computer systems becoming more efficient, and that there's
11 going to be -- the final meeting is in November and then
12 the training begins for inspectors and sort of new
13 protocols. And I for one would love to have a
14 presentation at a Board meeting to sort of drill down a
15 little bit and understand specifically what the new
16 policies are, protocols so that we can get a better
17 understanding of what's happening day to day. I don't
18 know if other Board members would appreciate that.

19 I don't like to add agenda items just for the sake of
20 adding agenda items. But I would like to -- if I'm the
21 only one, then maybe it's me having a conversation with
22 Ron, and that's great. But if other folks are curious
23 about that and want to invest some time, I would welcome
24 that.

25 BOARD MEMBER PHILLIPS: I'm interested. In fact, I

1 was going to ask if any of the lessons learned from that
2 program can be applied to other divisions like the factory
3 assembled or maybe even some of the cities. But I don't
4 know if it's not generic enough, it's too specific to
5 L & I's program that maybe you can't.

6 MR. RODRIGUEZ: No, it's pretty agile. It can be
7 used anywhere. Obviously Toyota is the one who adopted
8 it, helped build it. But it's in health care, it's in
9 city governments, it's in state governments. So it's --
10 it's everywhere. It's another really good set of tools
11 that can be used to do some problem solving and some
12 process improvements.

13 BOARD MEMBER PHILLIPS: But then do you take these
14 more generic principles and make them specific to the task
15 that you're doing? So --

16 MR. RODRIGUEZ: The principle is basically -- so you
17 have a toolbox; They give you these tools. But the main
18 principle is that the people that do the work come up with
19 solutions to the problems. You as a manager would help
20 identify what the problem is, what the future state is
21 that you want to achieve as a program. You set those
22 goals. But then the people that do the work develop the
23 process and procedures that gets you to that goal.

24 BOARD MEMBER PHILLIPS: So to put like a city
25 inspector into your training probably wouldn't work

1 because it's, again, too specific to L & I's program?

2 SECRETARY FULLER: I would say yes. It's the
3 philosophy and the tools and what the system -- how the
4 system works is the important thing. Because it is --
5 once you start working on a project or a group, it gets
6 very specific because it's about how they do their work
7 from beginning to end. But it's -- I mean, lean is all
8 about continuous improvement, identification of problems
9 and identification of waste and eliminating those things
10 so that they don't return. Continuing to identify new
11 problems. So it's a very -- it's different in that it's a
12 I think more sustainable process improvement than we've
13 ever had in the past.

14 Usually you go in and you identify a problem.
15 Dropped phone calls. And you resolve that one. And then
16 you move on to doing your normal work again. But it's not
17 very well documented usually, and it's not very
18 sustainable. So two years later you have dropped phone
19 calls again. And that's what lean works very hard to not
20 have happen is the recurring problem. So address the
21 problem, identify it quickly, get it resolved, make a
22 standard work, and then hold everyone accountable to
23 following the standard work. So it's more about
24 philosophy and the tools than anything.

25 But in answer to your question, Tracy, actually I

1 think a presentation would be really good. And at this
2 point I'm kind of thinking that part of the training on
3 November 30th for the inspectors is that we have a group
4 of people from the project that are going to present how
5 they went through it, what they found, what they
6 discovered, what they think it means to them. And I think
7 that might be a good presentation. And that's not coming
8 from me or Jose; that's coming from the people that did
9 the work. And that takes about an hour. They have an
10 hour and 15 minutes scheduled.

11 So that's who I would rather you hear from than me
12 and Jose.

13 CHAIRWOMAN PREZEAU: Perfect. I just sort of want to
14 have a better understanding of nuts and bolts.

15 Rod.

16 BOARD MEMBER BELISLE: So I'm just wondering if the
17 Board could get notification of that meeting and be
18 invited.

19 CHAIRWOMAN PREZEAU: Well, is that your intent? Or
20 do you want to have them come here to our next --

21 SECRETARY FULLER: I think come here. We're going to
22 have a lot of people in the audience that day too as we
23 well know.

24 CHAIRWOMAN PREZEAU: And what I'm alluding to -- and
25 I don't know -- maybe it's not the next meeting. What we

1 understand is potentially that there's a potential for six
2 to eight appeals/suspension revocation hearings next
3 meeting which -- so depending on fullness of agenda, maybe
4 it's the next meeting, maybe it's not. Or I don't know if
5 it's possible for Board members to attend that November
6 30th. The caution is if we end up creating a quorum
7 there, then we present -- that presents a problem.

8 SECRETARY FULLER: I think that's an issue.

9 But it's going to be difficult too because we're
10 going to have a really full room that day to be quite
11 honest with you. So I would rather have them --

12 MR. RODRIGUEZ: We'll set something up.

13 SECRETARY FULLER: I'll work with you on that and
14 we'll get it scheduled.

15 MR. RODRIGUEZ: We're always happy to showcase what
16 we've been doing.

17 CHAIRWOMAN PREZEAU: Perfect.

18 Any other questions for Mr. Rodriguez?

19 MR. RODRIGUEZ: Thank you all.

20 CHAIRWOMAN PREZEAU: Thank you.

21

22 Item 4. Secretary's Report (Revisited)

23

24 CHAIRWOMAN PREZEAU: So what I -- I'm going to --
25 since I'm the Chair, I'm going to take a little bit of

1 license. I very much would like to go back to the
2 Secretary's Report and ask Ron a couple of questions,
3 unless there's any objections.

4 Two things I just want to follow up with from last
5 quarter's meeting.

6 One is when we were discuss -- we were under the
7 Secretary's Report, and Ron, we were discussing the
8 conversion of citations from a percentage to total number
9 of citations written. We understood that most of that was
10 the three targeted citations. And I think Rod actually
11 requested that this number be broken down to reflect how
12 many of those were due to lack of inspection, how many of
13 those were for lack of certification or not being a
14 contractor, and you said that you would be able to -- that
15 that would be easy to attain that breakdown.

16 SECRETARY FULLER: It will be. But I forgot to do
17 it.

18 CHAIRWOMAN PREZEAU: And I'm not trying to make you
19 look bad. I --

20 SECRETARY FULLER: I'll just run the report and
21 e-mail it to everybody.

22 CHAIRWOMAN PREZEAU: That would be brilliant.

23 I just want to make sure we don't drop those

24 The other thing, also as a follow-up from the last
25 meeting, is Janet asked a question about getting a

1 spreadsheet or report or summary of the citations and the
2 outcomes. Do you remember that conversation? And we
3 basically in an informal way tabled it because you had
4 indicated that it was a huge cost in terms of mostly time
5 and human resources to produce that type of report. You
6 said, Hey, let's wait until we -- let's have this
7 discussion again once we get some additional human
8 resources on board.

9 I'm not looking to put additional burden on the
10 Department, but I don't want us to lose track of that
11 conversation either.

12 SECRETARY FULLER: So as I remember, we were talking
13 about the appeals, correct?

14 BOARD MEMBER BELISLE: (Nodding affirmatively.)

15 SECRETARY FULLER: How we do on appeals?

16 BOARD MEMBER LEWIS: No, not just appeals. I thought
17 in general we were talking about whether the citations,
18 you know, whether it as paid, appealed or waived as a
19 first offense.

20 Is that correct?

21 CHAIRWOMAN PREZEAU: Yeah, no. It was sort of a
22 comprehensive understanding of what happens to -- if
23 somebody was written a citation, what's the final outcome?
24 Did they pay the citation? Did they -- was it held in
25 abeyance? Was it brought to appeals? Did we win that on

1 appeal?

2 SECRETARY FULLER: That's a huge task because we have
3 no reporting to simply do that. I can tell you that we
4 collect every month 82 percent of all of our money for
5 everything including permits and licensing and citations.
6 We've got by far the highest collection rate of the
7 agency. Nobody comes close to that kind of a number. So
8 we collect 82 percent of what we assess. And that even
9 includes the reductions that I make for settlements.
10 Because when I have settlements, I sometimes do reduce the
11 penalty. So it's included in that. So that's part of the
12 lost money. So if I didn't settle with people, we'd
13 probably collect 90 percent I guess. That's a huge
14 number. So we're very successful at collecting our debts
15 when it comes to that. Because we've gotten a lot better
16 about informing people of what the consequences are, which
17 they're going to collections. And we moved from -- not
18 counting collections, we've probably moved from 50 percent
19 collection rate before collections to 75. Collections
20 actually collects very little for us now because we don't
21 hardly send anything over to them anymore compared to the
22 old days.

23 But getting details like when a status of something
24 flips -- and when I say that, it gets really complicated.
25 Because there must be 30 different codes on a citation

1 sometimes from beginning to end. And sorting that all out
2 would be next to impossible in a report that anybody's
3 going to be able to use for anything useful. It's just
4 not -- every citation that's written get a PD1 which is
5 the first demand letter. And then we go start collecting
6 the money. It would be a huge task to do that. And quite
7 honestly I don't think it would be useful for anybody.

8 CHAIRWOMAN PREZEAU: Cathleen.

9 BOARD MEMBER BRIGHT: Does that 82 percent figure
10 also include if a citation is issued, there's a fine
11 attached to it and it's subsequently withdrawn?

12 SECRETARY FULLER: Yes. I mean, that's part of the
13 18 percent that we lose. Anything that we don't collect
14 on is in there. So settlements, losses at appeal, voids
15 because we made a mistake. Whatever happens, that's in
16 that 18 percent. And that's -- 82 percent on initial
17 assessment is a big number. That's a very big number.

18

19 Item 3. Budget Discussion

20

21 CHAIRWOMAN PREZEAU: Okay. So we -- where are we --
22 we're at number 3, Budget.

23 SECRETARY FULLER: You've got the report. I kind of
24 went over that in the Secretary's Report. So unless
25 anybody has any questions, that's really it.

1 CHAIRWOMAN PREZEAU: I have one question, but I'm not
2 sure if -- you tell me if you want to answer or not.

3 But what's the over/under on the fund getting swept?

4 SECRETARY FULLER: I have no idea. We'll know about
5 December 31st probably.

6

7 Item 5. Certification/CEU Quarterly Report

8

9 CHAIRWOMAN PREZEAU: All right. So then now moving
10 on, we're at our last -- well, our last identified agenda
11 topic. Certification/CEU Quarterly Report.

12 So Larry and Ron, are you guys ready for that?

13 MR. VANCE: Madam Chair, members of the Board, my
14 name is Larry Vance. And today I'd like to address --

15 SECRETARY FULLER: Speak up, Larry.

16 MR. VANCE: Okay.

17 Today I'd like to address testing lab reports.

18 We currently have one testing lab that has renewed.

19 The name of the laboratory is American Product Safety.

20 They're based in Portland, Oregon. They primarily do
21 field evaluations, not many, but they chose to renew and
22 are one of our accredited laboratories.

23 The examination report, there should be a copy of the
24 one year up to the -- it's pretty much up to present. But
25 it goes back a year. And it shows the pass rates for our

1 examinations.

2 And consistent with the past, there's no real changes
3 in our pass rates. The general journeyman and 01
4 electrical administrator pass rates are traditionally
5 higher as far as pass rates and they remain so. The
6 specialties are lower. And there's been no real blips in
7 the pass rates.

8 Continuing education is -- there's been -- the last
9 several Board meetings there's been a lot of discussion on
10 continuing education. And with the Board's new
11 requirements for randomized questions, randomized answers,
12 the exam bank being -- the question bank being doubled,
13 the quantity of questions. Initially the continuing
14 education providers were in a period of shock. But it was
15 just amazing to see them start producing products that
16 complied with those. The bar came. And it was a couple
17 of difficult months, but once they got on board, it's the
18 new norm.

19 CHAIRWOMAN PREZEAU: May I ask a question just
20 relative to that exactly.

21 Last meeting you indicated that some of the small
22 providers were struggling. I'm hoping that your statement
23 applies to all providers because we would not want to see
24 a disproportionate amount of impact on smaller providers
25 versus larger ones. So are you telling me that pretty

1 much across the board everybody's producing quality
2 product and everybody's happy now?

3 MR. VANCE: Initially the calls from smaller
4 providers, you know, we just gave them advice that they
5 need to look at the products out there that are available
6 for randomizing the software products. And I haven't had
7 any of those calls --

8 MR. MUTCH: I haven't either.

9 MR. VANCE: -- probably in the last several months.
10 So I'm not aware of any issues with the small providers in
11 that area.

12 You know, the overall effect, it's going to take
13 three years, you know, to essentially purge the -- approve
14 the course and have them meet these new requirements. But
15 I think they've very much increased the value of
16 continuing education for electricians.

17 Does anyone have any questions?

18 SECRETARY FULLER: You need to introduce Rod.

19 MR. VANCE: Oh, absolutely.

20 SECRETARY FULLER: Larry forgot to introduce Rod.

21 So Rod Mutch is the new technical specialist. So
22 he's in Doug Erickson's old position number. We split
23 their duties up a little bit differently than they were
24 before. But in the future, you'll be hearing from Rod and
25 Larry both.

1 He was an inspector in the Yakima service location
2 for several years. He was a lead there. He was one of
3 the targets of one of the layoffs. So he went from a lead
4 to an inspector for a while. But now he's here and doing
5 very well so far. So we're pleased to have Rod.

6 MR. MUTCH: Good morning.

7 CHAIRWOMAN PREZEAU: Welcome.

8 I have one question. Knowing that your predecessor
9 was a great tomato grower, are you a tomato grower?

10 MR. MUTCH: My wife tries to grow tomatoes, and she's
11 not very successful.

12 CHAIRWOMAN PREZEAU: So we'll have to get our tomato
13 fix from somebody else.

14 MS. FORSBERG: Yeah. He's from Eastern Washington.

15 CHAIRWOMAN PREZEAU: Any questions for Ron or Larry?

16 MR. VANCE: I do have something more to add is that
17 since Rod came on board he is -- part of his duties is
18 continuing education. So I went through the initial
19 probably five months of the new Board requirements and the
20 approval process with the providers. And Rod is now --
21 that's on Rod's plate. So -- and Rod has made a recent
22 change.

23 MR. MUTCH: A little bit of a change I'd like the
24 Board to know about. Something we've kind of changed.

25 One of my first assignments in my first week was to

1 review some continuing education courses. I was looking
2 at one. It was an industry-related course. Everything
3 looked fine, met the WAC rule requirements. The provider
4 was providing 25 and a half hours of continuing education
5 and requesting approval for 16 hours for this course. I
6 approved it based on the requirements of the WAC. I gave
7 it to Crystal. And Crystal questioned why I approved a
8 16-hour industry-related course.

9 Apparently there's a past practice of only approving
10 12 hours for industry-related course. That was probably
11 based on the requirement for renewal of a certificate for
12 eight hours of continuing education for an electrician per
13 year. Eight hours of that had to be code update. Four
14 hours had to be WAC-rule related. Leaving 12 hours for
15 industry related. So the maximum that you would require
16 of an electrician to have to renew his certificate would
17 be 12 hours. Therefore, the past practice was to limit
18 approval on courses to 12 hours for industry related.

19 And I questioned that. The only reason for denying
20 it based on the WAC would be if it exceeded 24 hours.
21 There's a maximum course length that's for approval
22 according to the WAC of 24 hours.

23 So we kind of changed that. So an industry-related
24 course -- and I approved -- we approved that one. So the
25 industry-related courses are no longer going to be limited

1 to 12 hours apparently.

2 So there may have been some in the past that were
3 denied. Even though an electrician sits through a 24-hour
4 class, he would have only gotten credit for 12 hours on
5 that. So that's a little bit of a change.

6 CHAIRWOMAN PREZEAU: I like that quite honestly.
7 Because most of the time when I renew my license I have
8 more than the required minimum.

9 MR. MUTCH: Right.

10 CHAIRWOMAN PREZEAU: And I think it sends a stronger
11 message of, you know what, it's okay to have more than the
12 minimum hours. In fact, we would embrace -- as an
13 organization, we embrace that concept.

14 Anybody have any more questions?

15 I have one. I'm assuming that because there's no
16 commentary on PSI and exams, that everything is still
17 hunky-dory in that arena?

18 MR. VANCE: Yes, yes.

19 CHAIRWOMAN PREZEAU: We're still pleased with their
20 performance?

21 SECRETARY FULLER: Yes. We're actually in the
22 process right now of extending their contract out another
23 three years.

24 CHAIRWOMAN PREZEAU: Perfect.

25 All right. Thanks gentlemen.

1 to -- I mean, I'm not interested in agenda items for the
2 sake of agenda items. But clearly also understanding that
3 the potential for our next meeting, six to eight appeals,
4 suspensions, issues, it most likely not will be a short
5 meeting. And I've been on this Board since 2005, six
6 years. And this -- rarely do we have a meeting -- I think
7 this is the first time we've have a meeting of this degree
8 of brevity.

9 And what I would like to ask the Board is in the
10 future -- you know, I think this is potentially a missed
11 opportunity for us to have added agenda items that the
12 Board would have liked to have seen. What I mean by that
13 is -- and we have several new Board members and we've got
14 Board members that have been on the Board for longer than
15 I have.

16 So the question that I would like to ask you is if we
17 have an opportunity like this in the future, would you
18 like to have additional education, presentations from Ron,
19 interactions with inspectors, conversation about what --
20 you know, hearing from Ron report of what issues in the
21 statute in 19.28 are somewhat problematic from the
22 Department's perspective, and creating a list of possibly
23 some low-hanging fruit in terms of cleaning up the statute
24 or -- I just want to have some open discussion if we have
25 this opportunity in the future I don't want us to miss it.

1 What are things that you would like to see us invest
2 time in if given the opportunity?

3 Rod.

4 BOARD MEMBER BELISLE: My first thought is the
5 progress with the new trainee classroom requirements, how
6 many are fulfilling that requirement in a timely manner,
7 how many providers are available to do that.

8 The organization where I work, we used to provide
9 those classes, and we no longer do that because of lack of
10 enrollment. And so I'm curious how the rest of the state
11 is doing it. Because in the Vancouver/Southwest
12 Washington area, there's not a lot of interest in those
13 classes. So I would be curious as to know the progress on
14 the new enhanced requirement and how well that's being
15 met.

16 CHAIRWOMAN PREZEAU: Well -- and I would imagine part
17 of that is a function of the timing.

18 Any other comments from any other Board members?
19 Subjects that you --

20 I mean, in the past we've had the Department give
21 different presentations just an informational or
22 educational aspect. I don't know if anybody's interested
23 in having a more comprehensive understanding of what an
24 inspector's day is like. Or not. If you're satisfied
25 with what the agenda looks like.

1 BOARD MEMBER CORNWALL: Actually -- and I could do
2 this as a sidebar with an individual. But what I would
3 really like is to know what the processes are that are
4 involved in the plan review and what takes place in plan
5 review and how they implement the different parts of the
6 code because I know each jurisdiction's a little
7 different. And the State knows that process. Just so I
8 can understand that.

9 CHAIRWOMAN PREZEAU: Janet.

10 BOARD MEMBER LEWIS: I like that idea, not just
11 hearing from a plan reviewer. Maybe someone from the
12 audit team or the ECORE team could talk about what they do
13 and more specifics than the broad overview we get here.

14 CHAIRWOMAN PREZEAU: Yeah, I think that would be
15 great for us to have a -- again, given an opportunity with
16 an anemic agenda to have more comprehensive discussion,
17 for us to understand what a day in the life looks like.

18 Geoff.

19 BOARD MEMBER NEWMAN: I think it would be interesting
20 to get the ECORE folks in here and have them kind of flush
21 up some tools. What are they looking for? Right? Just
22 -- we're all out in the market on a daily basis. We're
23 looking around. We're all looking for the same thing.
24 What can we push down into our organizations about what to
25 keep an eye out for? We see this stuff all the time. How

1 do we make a complaint? What's the best way to get some
2 of that?

3 ASSISTANT ATTORNEY GENERAL REULAND: In terms of -- I
4 would just suggest if you're getting input from the
5 Department about specifics like that that you may also
6 want to get input from the other side of the table so that
7 you get a presentation or facilitate the opportunity for
8 both sides to present to the Board their perspective on
9 inspections or the pros and cons so that you would have
10 equal information.

11 BOARD MEMBER PHILLIPS: The unlicensed contractors.

12 BOARD MEMBER: The stakeholders.

13 BOARD MEMBER LEWIS: Bring the violators in.

14 SECRETARY FULLER: We'll have six of them here next
15 time.

16 ASSISTANT ATTORNEY GENERAL REULAND: I'm suggesting
17 that the opportunity be there for --

18 CHAIRWOMAN PREZEAU: Fair and balanced dialogue.

19 SECRETARY FULLER: So for right now, would you be
20 willing to talk about at a low level kind of what your
21 interaction was with the program?

22 MR. BASSETT: (No response.)

23 SECRETARY FULLER: Doug?

24 MR. BASSETT: Oh, I'm sorry.

25 SECRETARY FULLER: Would you be willing to speak a

1 little bit about your interaction with the program with
2 some of the issues that you've had lately, just a couple
3 of seconds? minutes? Put you on the spot. I told you you
4 shouldn't come today.

5 MR. BASSETT: What would you like to know?

6 CHAIRWOMAN PREZEAU: First of all, we need to know
7 who you are.

8 MR. BASSETT: Doug Bassett -- B-A-S-S-E-T-T. And I
9 am the licensing and code compliance manager for ADT North
10 America.

11 SECRETARY FULLER: So Doug and I met yesterday
12 afternoon. He's a Floridite. He came along late to talk.
13 And he was interested and he made the trip I think
14 partially because the Board was meeting today too and
15 wanted to sit in and just see who -- you know, what you
16 looked like and what you dealt with. It's not a typical
17 meeting because we don't have appeals today. But we've
18 had some concerns with ADT, and they got to Doug's level,
19 and he and I basically had a conversation about that.

20 And so say whatever you feel like saying.

21 MR. BASSETT: Well, I think after talking yesterday,
22 I understand the program much better. Not being a
23 resident of the state is a little foreign to me. And that
24 was another reason why I wanted to come here and
25 understand exactly how the program is administered within

1 our operation as well as we want to understand a little
2 bit more from the State's perspective.

3 I think it's a great program. This is something that
4 we have worked diligently to see put into place in other
5 states because we believe the decal type approach of the
6 permitting is one that makes it very easy for the
7 contractor. And it really helps, I think, you know, move
8 the contractors that are operating outside of the
9 requirements because of the restrictions or challenges
10 with timing and getting approvals or obtaining permits,
11 things of that nature, it's completely removed. And I
12 think I can tell you from what I have seen where it's been
13 implemented in other states, it's had a very positive
14 effect on the overall revenues, and it's brought the
15 contractors that were previously out of compliance,
16 whether they were licensed or not, into the proper
17 alignment. And it also took care of individuals that were
18 crossing over boundaries into other areas that the
19 jurisdiction may not have even known or recognized; they
20 just hadn't caught up yet. So all of these things are
21 very favorable to the contractors.

22 And again, I think it's a very-easy-to-follow
23 program. The logistical challenges are really at the
24 employee level, you know, making sure that they have
25 completed the decal properly, and they've affixed it

1 properly to their site.

2 That's our problem. That's our challenge internally
3 in making sure that they follow the rules.

4 I do know that one of the things that Ron made us
5 aware of is that Ron also provides training to the
6 individuals that are doing this, which again, I think is a
7 wonderful avenue that is offered by the State to help
8 better and further educate individuals that are
9 responsible for that part of the compliance.

10 So again, I think you've got a terrific program. I
11 think it's a very progressive one. And it's one that's
12 worked very well in other portions of the country that
13 it's been implemented.

14 CHAIRWOMAN PREZEAU: Wonderful.

15 Thank you for sharing that. And thank you for being
16 here today. Appreciate it.

17 MR. BASSETT: Thank you.

18 CHAIRWOMAN PREZEAU: Any questions for Mr. Bassett?

19 BOARD MEMBER NEWMAN: Do you guys have -- do you
20 have, you know, store fronts? Or where do you get your
21 people? Are you exclusively subs or subcontractors? Or
22 do you have ADT employees in this state?

23 MR. BASSETT: We have several hundred field level
24 employees that are technicians and installers and service
25 people. We do also employ subcontractors as well. It's

1 based on the scope of the job and the impact at that
2 particular location. In some cases, it is best completed
3 by a subcontractor for certain aspects of the job. But
4 for the most part we try to staff accordingly to whatever
5 the ongoing volume is in that particular location.

6 SECRETARY FULLER: The reason that I asked Doug to
7 come up here is that I think he's the perfect example of
8 how the program and the contractor who could potentially
9 be at huge odds with each other can work through things,
10 accomplish positive things for both of us and make life
11 better for the entire industry. So I think we had a good
12 conversation yesterday. And it was -- you know, not all
13 of it pleasant necessarily in that there were some
14 compliance issues.

15 I think -- well, my message to you (addressing
16 Mr. Bassett) was that I want you to be in business and
17 succeed. That's where I think the program goes with all
18 of this no matter who we're working with.

19 But he was handy today and the topic came up. So ...

20 MR. BASSETT: We're more than happy to step up here.

21 And, again, as you mentioned, it was a very
22 enlightening meeting. When things make it to my level, we
23 usually have some real challenges.

24 I spent a few days here at various locations trying
25 to get a perspective and a feel for what they were doing

1 and how they were doing it. And then, again, after
2 meeting with Ron and the other individuals from the
3 Department, walked away with a very good understanding of
4 what we need to do and how we need to change a few things
5 on our side to not be a burden to the Department either.

6 I understand that when we're not following things
7 correctly, it causes additional challenges and burden for
8 the Department as well.

9 So -- but again, I couldn't ask for any better
10 cooperative assistance in trying to get things back in
11 place. And I appreciate his help and everyone else's in
12 getting us to where we need to be.

13 CHAIRWOMAN PREZEAU: Well, and I just think this is a
14 great conversation because this is really --

15 Ron, you've reported for I don't know how long when
16 you sort of initiated the citation reduction initiative,
17 right?

18 SECRETARY FULLER: Correction reduction.

19 CHAIRWOMAN PREZEAU: Correction reduction initiative.

20 But, you know, we've kept track of that, and you've
21 kept us in the loop on that. But this is the first time
22 we've really heard from the other side, from a contractor,
23 from an employer that has been a part of that. And I'm
24 glad to hear that your experience has been positive.

25 Because we all share the same perspective Ron does which

1 is we want people to be in business. We want -- we don't
2 want the regulation to be burdensome. We want them to
3 elevate the standards in the industry. And we want people
4 to be able to comply without onerous time constraints.

5 So I'm glad to hear that from your vantage point we
6 are successful in that endeavor.

7 MR. BASSETT: No, absolutely. No question.

8 Ron was able to pull back the curtain on the mighty
9 Oz and help me understand a few things behind the scenes,
10 which really helped me.

11 Unfortunately I think sometimes there's a -- it's a
12 fear factor or something of that nature that they don't
13 know how to reach out, they don't know how to go for help.
14 But it was all very readily available. And I understand
15 things much more clearly just after a few questions and
16 conversations yesterday.

17 CHAIRWOMAN PREZEAU: Thank you.

18 MR. BASSETT: The Department is doing a great job.

19 CHAIRWOMAN PREZEAU: Glad to hear it. Thank you.

20 So I only have one more thing I would like us to
21 either consider or discuss, and that is -- I know that
22 this body has had discussions at least two prior Board
23 meetings recently about using teleconferencing or some
24 type of electronics which would allow Board members to
25 participate. We've discussed -- we've heard from Pam some

1 legal challenges to that, hurdles that we would need to
2 get over.

3 I for one when I was considering trying to
4 successfully navigate those legal challenges, I was always
5 thinking of the Board using technology to bring people --
6 to bring this Board together. I was always looking at the
7 meetings from the vantage point of having multiple appeals
8 and having a more complex agenda.

9 When we saw that this agenda today was going to be
10 fairly anemic, we started having those conversations again
11 about whether or not Board members would want to
12 participate using technology. I'd never thought about a
13 Board meeting looking like this because it hasn't looked
14 like this in a very long time. And again, when we were
15 having this conversation, it never dawned on me that this
16 would be what a meeting would look like.

17 To give some perspective, there are several Board
18 members that traveled far away, from Spokane. We also
19 have Louis LaMarche comes from the Tri Cities. So there
20 is some budgeted costs associated with holding the
21 meeting.

22 And I'm just curious if other Board members would
23 want to weigh in on whether or not if we have an agenda
24 that looks like this specifically whether or not --
25 because it's been very overwhelming that Board members

1 have said no, we don't want to have teleconferencing using
2 technology.

3 But I'm curious what your thoughts are. We can
4 either discuss it today or another time. If we have an
5 anemic agenda again in the future whether or not this body
6 is interested in trying to be a little bit more cost
7 effective I guess in terms of folks coming from a long
8 distance and allowing some type of technology if available
9 if we can meet the legal challenges.

10 SECRETARY FULLER: The concerns that I've always
11 expressed before were more related to the hearings.
12 Because that's when it's really critical if you've got an
13 appellant on the other end of the line that they hear and
14 be able to respond to everything 100 percent. And that's
15 been the challenge.

16 The challenge for us here is that we have a quorum.
17 And I think telephonically we could manage that. We could
18 have probably for this meeting because we don't have any
19 appeals to deal with. I'm very nervous about for appeals.
20 If we have a case where we have none, then -- as I
21 proposed to you originally, I'd like to see us do the
22 teleconference. We'd still have the meeting here so it
23 doesn't affect the Public Meetings Act or any of that.
24 But have this as the base so that Don doesn't have to
25 travel from Spokane for a one-hour meeting.

1 CHAIRWOMAN PREZEAU: Pam.

2 ASSISTANT ATTORNEY GENERAL REULAND: Well, I just
3 wanted to say that I did ask Milton about this before we
4 got started today to get some input from the court
5 reporter's perspective about being able to take down what
6 everybody says.

7 And I don't want speak for you, Milton, but you did
8 express -- he did express concerns about having too many
9 people on the phone makes it very difficult for him to
10 accurately transcribe the proceedings. One, is people
11 aren't careful with identifying who they are, and people
12 speak -- this group's pretty good, but sometimes people do
13 speak over each other. And so he had some concerns about
14 too many people. Maybe one person or maybe two people,
15 but I think that's an issue.

16 CHAIRWOMAN PREZEAU: Rod.

17 BOARD MEMBER BELISLE: I like the idea when there's a
18 very small agenda.

19 I was just at the Washington State Apprenticeship
20 Council meeting. Mr. Rodriguez was there as well. And
21 they actually had an appeal. And two of the parties were
22 on the phone. And the way it was organized and the way it
23 was administered, I think everyone heard every word. You
24 know, they called each person to speak. So it was very
25 clear who was speaking and never were there more than one

1 person speaking at a time. And that was within L & I. So
2 I think there's certainly opportunity for that to be
3 efficient, especially on a minor agenda like this.

4 CHAIRWOMAN PREZEAU: Well -- and the other thing, you
5 know, because the Board's wishes -- well, the comments on
6 this subject multiple times, everybody says, you know,
7 basically you kind of need to come face to face. We only
8 meet once a quarter.

9 So another potential solution is change the start
10 time. So instead of the meeting starting at 9:00 in the
11 morning, have it start at 11:00 in the morning so folks
12 flying from Spokane can fly the same morning rather than
13 coming the day before and hotel costs so that they can --
14 if this meeting started at 11:00, we would be done
15 relatively close to the rush hour upstairs in the
16 cafeteria being over, and people get something to eat, get
17 back on a plane and got home. So we sort of meet the --
18 we won't have challenges in terms of a quorum, we reduce
19 some -- we find some efficiencies in terms of cost, but
20 yet we still get the opportunity for face time and
21 hopefully don't present challenges to the court reporter.

22 So I offer that as a potential solution as well.

23 Cathleen.

24 BOARD MEMBER BRIGHT: I like the hearing being in a
25 remote location. When I worked in Shelton, all of our

1 hearings were handled out of the Vancouver Office of
2 Administrative Hearings. And they were all done
3 telephonically. I think there was two in six years where
4 the judge actually came. And the difference in conducting
5 a hearing like that and this Board is that there's one
6 judge, and for us, there's a whole bunch of us that may
7 have questions.

8 And the other difference I think is that those
9 hearings were all recorded. So the court reporter wasn't
10 even there. They were just transcribing after the fact.

11 I think if we are really disciplined in how the
12 hearing is conducted, that the Chair basically takes over
13 that role of judge and recognize you don't speak until
14 you're recognized, et cetera, et cetera, I think that
15 could work.

16 I think it would also be a huge difference for the
17 appellants because they travel from all over the state
18 too. And as I said, the hearings were conducted -- in a
19 hearing, you've got the appellants there, their attorney
20 on the phone, you've got the judge, you've got the
21 Department representatives, et cetera, et cetera. So I
22 know it can be done telephonically. I think it's always
23 preferable to do it in person. But if that's not possible
24 for any reason -- but if we're going to do that for
25 ourselves, then we also need to offer that to the

1 appellants, give them the option of whether or not they
2 want to do it in person or on the phone. I don't see how
3 we could say, Well, we can be here by phone, but you have
4 to be here in person. That doesn't seem fair to me.

5 CHAIRWOMAN PREZEAU: Well, we actually split this
6 conversation up at the last Board meeting, or the last
7 time we discussed this formally of it's a different
8 threshold of whether or not you're going to conduct an
9 appeal or suspension hearing using technology or for
10 saying in absence of appeals or suspensions.

11 BOARD MEMBER BRIGHT: Yeah. I think it comes down to
12 voting for that, if we don't have anything on our agenda
13 to vote.

14 CHAIRWOMAN PREZEAU: Janet, you wanted to say
15 something?

16 BOARD MEMBER LEWIS: Well, my question was I thought
17 this discussion in the beginning was whether a Board
18 member could telephonically be present. I didn't know it
19 was going to expand into allowing appeals by phone. I
20 think that would need more discussion and research on
21 whether we would really want to do that.

22 CHAIRWOMAN PREZEAU: I have no interest in allowing
23 -- we've had witnesses testify via phone because of they
24 were -- I think there was a gentleman in the military that
25 testified once. He lived in -- resided in Florida. I

1 think that would be an undue burden to have someone living
2 in Florida to travel here.

3 But I'm specifically -- my question to you is: In
4 absence of hearings and appeals, a Board meeting that
5 looks like this, whether or not it makes sense for a Board
6 member to not be able to, which I don't know if we allow
7 Board members to do that, if now that opens the door from
8 a hearings perspective.

9 ASSISTANT ATTORNEY GENERAL REULAND: Well, I
10 previously provided advice on the difference between a
11 Board meeting and the rules of the Open Public Meetings
12 Act versus the criteria for conducting a hearing. And I
13 think that they're very different. There's different
14 obligations. And so, therefore, it's my opinion you can
15 make decisions on how you handle each of those beasts, so
16 to speak.

17 And the difference -- in terms of the Board --
18 actually just conducting the Board meetings, I did pass
19 out I think other bylaws from some other entities that do
20 allow Board members to appear telephonically as long as
21 the criteria under the Open Public Meetings Act is met.
22 Most of those Board meetings -- or when they're having
23 appeals.

24 So just in terms of the Board hearing these, it's
25 certainly permissible as long as you just decide how

1 you're going to do that, making sure that person can hear
2 and that you check in with them.

3 My understanding was that during that conversation
4 there was concerns about technology, you know, being able
5 to do that and having someone to call in and then how
6 many.

7 Because the last time that it was my recollection
8 there was three or four of you were at some sort of
9 conference in California. So there was also the issue of
10 people being present for the entire Board meeting, if the
11 Board meeting was going to be really long and being on the
12 phone for that period of time. But, you know, a short
13 Board meeting and a couple members coming in -- or calling
14 in is a lot different in terms of meeting those criteria I
15 think.

16 And it was my understanding the Board voted not to
17 allow telephonic testimony. So you'd have to kind of
18 revisit that issue I think.

19 CHAIRWOMAN PREZEAU: Participation.

20 ASSISTANT ATTORNEY GENERAL REULAND: Telephonic
21 participation versus telephonic testimony is different.

22 CHAIRWOMAN PREZEAU: So -- and here's the other
23 piece. And again, I don't want to spend -- invest time --
24 you know, in six years, this is the first meeting that's
25 looked like this. So is this really an issue that -- is

1 this opportunity going to repeat itself? I don't know.
2 But if it does, then maybe I will work -- while I'm still
3 here, I will work with Ron to maybe change the start time
4 to 11:00 or to a time that will allow folks coming from
5 Eastern Washington to travel in the morning, saving us
6 some cost --

7 BOARD MEMBER KOPCZYNSKI: I travel.

8 CHAIRWOMAN PREZEAU: Do you travel in the morning?

9 BOARD MEMBER KOPCZYNSKI: I travel in the morning.

10 CHAIRWOMAN PREZEAU: Okay. Then maybe I'm making a
11 mountain out of a mole hill.

12 Are there any other comments/questions?

13 BOARD MEMBER NEWMAN: When trying to fill the agenda,
14 I mean, how much notice do we have? When we have a real
15 light agenda --

16 MS. FORSBERG: Well, this agenda went out really late
17 because they were trying to see if they were going to
18 teleconference.

19 SECRETARY FULLER: The cutoff date for appeals is 45
20 days, right? So -- I mean, there's like about a ten-day
21 window that we could say, Do Board members have any agenda
22 items? That's about it.

23 ASSISTANT ATTORNEY GENERAL REULAND: I guess I would
24 just suggest that you make a decision about if Tracy as
25 the presiding officer and Chair of the Board, if something

1 like this comes up, can she make that decision that Bruce
2 can appear telephonically or not?

3 Because I thought the Board had a conversation, and
4 it was sort of agreed that the Board members, that we
5 weren't going to put provisions in for that. And I think
6 that should be clarified in terms of how you want to
7 handle these questions when they come up.

8 CHAIRWOMAN PREZEAU: I mean, that was my -- when Ron
9 asked me the question whether or not we would allow for
10 folks to participate using technology, I said I feel
11 hugely uncomfortable making that decision because, you
12 know, the perspective of the Board has been no. So I
13 thought, well, so the answer has to be no.

14 BOARD MEMBER BRIGHT: I just think it comes down to
15 whether or not we're going to be voting on something. If
16 we're voting, then I think it's more important for us to
17 be here in person. If we're not voting, we're just
18 receiving information, then it's kind of -- then I think
19 -- that's when we have the sole opportunity to --

20 CHAIRWOMAN PREZEAU: Which in my perspective, we
21 don't necessarily control that. Right? Because one of
22 the agenda items which actually technically should be on
23 the agenda is public comment. So we don't -- this is an
24 open meeting. So if somebody comes in and brings us a
25 subject matter that we feel compelled to formalize a

1 motion and vote on it, we don't control that.

2 So I mean -- and that was also part of -- Pam was
3 like, "Do you want me come to this meeting?"

4 I said, "Yes, because I don't know who's going to
5 come to the room."

6 And we had folks with public comment at the last
7 meeting and, in fact, had -- it was good that Pam was
8 sitting next to me and said, "Look, you need to tell them
9 to stop because this potentially could prejudice the
10 Board." So stop talking.

11 So I don't control that. Which is great. I think
12 it's great that we --

13 But I'm just saying -- I don't want to beat a dead
14 horse, but my perspective at this point in time is the
15 Board has told me that the answer is no, that we're not
16 going to do this telephonically, that everybody -- the
17 expectation is that people will actually travel here. In
18 which case if we have this opportunity in the future, I
19 will work with Ron to maybe add some agenda items as we
20 suggested to make the return on the investment greater
21 and/or maybe look at changing the start time to whatever.
22 But I'll also get input from folks that are traveling from
23 out of the area if we encounter this scenario again. Does
24 that sound reasonable?

25 BOARD MEMBERS: (Nodding affirmatively.)

1 CHAIRWOMAN PREZEAU: Are there any other questions,
2 any other concerns? Rod.

3 BOARD MEMBER BELISLE: Tracy, I'd just like to
4 clarify. I brought the minutes from last month's meeting.

5 And Ron mentioned that he didn't remember what we
6 were looking for as far as a breakout for citations. And
7 what I had kind of asked for, and I think Ron's trying to
8 accomplish that, is under the focused citations. So there
9 was 797 in a three-month period. And those citations
10 encompass no certification, no permit or no supervision;
11 is that correct?

12 SECRETARY FULLER: No license.

13 BOARD MEMBER BELISLE: No license.

14 SECRETARY FULLER: Certificate, license, permit.

15 BOARD MEMBER BELISLE: So supervision doesn't fall
16 into that?

17 SECRETARY FULLER: No.

18 BOARD MEMBER BELISLE: Well, I guess I'm curious if
19 those three items could be broke out within that number.
20 That's what I had asked for last time.

21 SECRETARY FULLER: Yes, I can do that.

22 BOARD MEMBER BELISLE: Okay.

23 CHAIRWOMAN PREZEAU: Anything else? Tom.

24 BOARD MEMBER PHILLIPS: I've got one. It seems like
25 it takes about two and a half months or so to get our

1 transcripts from these meetings. Is it possible to get
2 them sooner than that?

3 MS. FORSBERG: No. I get it when Milton gets them to
4 me. He's got a lot on his plate. You get it as soon as I
5 get it.

6 BOARD MEMBER PHILLIPS: They would have to be sent
7 out separately, though, I guess from the rest of the
8 packet. But I for one would appreciate getting them as
9 soon as possible, the reports on the meetings.

10 CHAIRWOMAN PREZEAU: I agree. If we can find some
11 lean efficiencies there, that would be perfect.

12 ASSISTANT ATTORNEY GENERAL REULAND: Are those sent
13 electronically?

14 CHAIRWOMAN PREZEAU: Yeah, we get those
15 electronically. We used to get a hard copy. But now they
16 make us print them.

17 SECRETARY FULLER: We're lean. I'm not into new
18 reports that are not useful and things like that right
19 now. I just don't want to spend the time and money on
20 those kinds of things if they're not very useful.

21 CHAIRWOMAN PREZEAU: I don't have any problem with
22 that.

23 SECRETARY FULLER: Part of our reporting process now
24 for the supervisors, we're actually creating some reports
25 for them that are going to make their life a lot easier.

1 It's like what Rod just asked for there, that is in
2 one of these new reports. Two weeks ago I didn't have
3 that report. So today I can say, "That's really easy,
4 Rod."

5 BOARD MEMBER BELISLE: Good.

6 SECRETARY FULLER: But that's the kind of thing that
7 we're doing.

8 I've been -- for the last year and a half, I've been
9 every month building charts for all of the regional
10 managers and supervisors down to the individual level
11 about their performance. And that takes me about three
12 days. And now I won't have to do that anymore with these
13 new reports. So we're looking at that kind of stuff all
14 the time.

15 But I hold the hard line as much as I can on new
16 reports because -- they may be good information, but if
17 they're not really being used for something other than
18 information, I'm going to push back a little bit
19 sometimes, no matter who it is, even upstairs.

20 CHAIRWOMAN PREZEAU: Crystal.

21 MS. FORSBERG: I have to apologize. Mr. Newman
22 reminded me.

23 Bob Colf. You guys had an appeal. I guess the
24 appellant didn't show up. You guys always want to know
25 the outcome of it?

1 BOARD MEMBER: Yes.

2 MS. FORSBERG: He did appeal to superior court your
3 guys' decision. So he is in superior court right now.

4 ASSISTANT ATTORNEY GENERAL REULAND: I think that
5 hearing was scheduled in November; was held last month.
6 And I don't know the results of that.

7 MS. FORSBERG: Are you talking about Bob Colf?

8 SECRETARY FULLER: I think we just got that one --

9 MS. FORSBERG: No. Bob Colf I just sent the packet
10 out to superior.

11 SECRETARY FULLER: Oh, okay.

12 CHAIRWOMAN PREZEAU: All right. One final thing from
13 the Chair. Because we're probably going to have a lot of
14 appeals and even maybe some original hearings in terms of
15 suspensions, I very much would like remind the Board that
16 last meeting Pam gave us some guidelines about appeals and
17 suspensions and there was a long conversation in the
18 transcript that starts on page 81. I would remind the
19 Board to review that portion of the transcript before next
20 -- our next meeting. Because I think that the
21 conversation would be very helpful in getting us prepared
22 for a long day of appeals and suspensions and
23 understanding very clearly what our role is and what it is
24 not.

25 Rod.

1 BOARD MEMBER BELISLE: I brought that as well. So I
2 only had to print out five pages which was relevant to me
3 out of that transcript. But I had asked if perhaps Pam
4 could give us a cheat sheet when we have these appeals on
5 what our three options are and then how we should make
6 that motion so we can formally do that accurately. That
7 would be great.

8 ASSISTANT ATTORNEY GENERAL REULAND: Tracy reminded
9 me of that this morning.

10 BOARD MEMBER BELISLE: Since there's no appeals, it
11 was irrelevant.

12 ASSISTANT ATTORNEY GENERAL REULAND: I'm also happy
13 to if at any point you have a light agenda and you want to
14 go over some of the procedural issues or you want me to
15 provide any information for appeals or reminders, I'm
16 always happy to do that.

17 CHAIRWOMAN PREZEAU: I think every Board member would
18 welcome that conversation.

19 Because of the fact that we only meet quarterly
20 because of the fact we don't do this very often, we just
21 want to make sure, from my vantage point, that people just
22 want to feel comfortable if we're doing the process
23 correctly. And that if, in fact, it's appealed to
24 superior court, that we've created a good record and met
25 our obligation from a legal perspective.

1 All right. Anything else? I'd entertain a motion to
2 adjourn.

3

4 Motion

5

6 BOARD MEMBER BELISLE: So moved.

7 CHAIRWOMAN PREZEAU: Is there a second?

8 BOARD MEMBER: Second.

9 CHAIRWOMAN PREZEAU: All those in favor of
10 adjourning, signify by saying "aye."

11 THE BOARD: Aye.

12 CHAIRWOMAN PREZEAU: Opposed?

13

14 Motion Carried

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16 CHAIRWOMAN PREZEAU: We're adjourned. Thank you.

17 (Whereupon, at 10:25 a.m.,
proceedings adjourned.)

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