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ELECTRICAL BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

April 24, 2025



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DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

ELECTRICAL BOARD MEETING
TRANSCRIPT OF PROCEEDINGS

April 24, 2025

Via videoconference

Pages 1 through 123

CERTIFIED
TRANSCRIPT

Taken Before:

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Certified Stenographic Court Reporter

for

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BE IT REMEMBERED that an Electrical Board meeting was held on Thursday, April 24, 2025, via Zoom videoconference at 9:00 a.m., before CHAIRPERSON JASON JENKINS, SECRETARY/CHIEF ELECTRICAL INSPECTOR WAYNE MOLESWORTH, MIKE NORD, BOBBY GRAY, BYRON ALLEN, GREGORY JOHNSON, ERICK LEE, KERRY COX, JAMES TUMELSON, JACK KNOTTINGHAM, STEPHEN ENTREKIN, KEVIN DAVIS. Also present was ASSISTANT ATTORNEY GENERAL BEN BLOHOWIAK, representing the Board.

WHEREUPON, the following proceedings were had,
to wit,

<<<<<<<< >>>>>>>>

CHAIR JENKINS: I'd like to call this meeting to order. It is Thursday, April 24, 2025, at approximately 9:06 a.m. I do want to say thank you for everybody attending. I know a lot of people take a lot of time out of their day to make sure they're here. I also want to extend my thank you for the people who have put the Zoom efforts together and all of the stuff that it took to get to this point.

As you mentioned already, this meeting is taking place largely over Zoom platform due to the recent governor executive orders on spending. I'd ask that if



1 you're not a member of the board to make sure that you
2 keep your cameras off. It might help some of the other
3 people that may have bandwidth issues. Let's see. As
4 you mentioned before, chat is not part of the official
5 meeting, so that will not be mentioned during this
6 meeting.

7 And for the good of the system, make sure -- for
8 the court reporter's sake, make sure that one person is
9 speaking at a time, and identify yourself before
10 speaking so we can make a proper record today.

11 And I know I didn't say anything to you, Wayne, but
12 we're at Item Number 1. Are you available or do you
13 have someone available who can do our safety message
14 this morning?

15 SECRETARY MOLESWORTH: Yes, sir, Mr. Chairman.
16 I think Lorin Lathrop has the safety topic for today.

17 CHAIR JENKINS: And, Technical Specialist
18 Larin Lathrop, are you available?

19 MR. LATHROP: I am here.

20 CHAIR JENKINS: The floor is yours.

21
22 SAFETY MESSAGE

23
24 MR. LATHROP: Good morning, Chair Jenkins and
25 members of the Electrical Board. My name is Lorin



1 Lathrop. I am an electrical technical specialist with
2 the Department, and I wanted to share with you a story
3 this morning. I have the privilege of teaching my
4 15-year-old son how to drive. And we went out
5 yesterday. He had an orthodontist appointment, and we
6 had to go 40 miles one way from our home to the
7 orthodontist. And he did great. I made him drive the
8 whole way. He did great. He had a whole bunch of
9 firsts yesterday. The first time on a four-lane
10 highway, first time in a passing lane, first time in a
11 roundabout. First time seeing a traffic signal. And
12 he did great. No problems at all.

13 You know, we got home, and he was driving near the
14 school, and we got to the last 150 feet of his drive,
15 and I -- I could just say that I think he lost his mind
16 a little bit. He almost missed the turn. He was going
17 too fast. He then bounced the car off the curb, all
18 kinds of stuff. And I started thinking back to why is
19 that? How is that he did all of this hard stuff and
20 did just fine? But he got to someplace he was
21 comfortable, someplace where he knew where all the
22 signs and everything were, and it became difficult.

23 So I did a little research, and a 2015 study found
24 that 77 percent of motor vehicle crashes happen within
25 10 miles of your home. That's pretty phenomenal when



1 you think about that that's where that happens. So I
2 started doing some more reading, some more listening,
3 and I found out that part of that is because most
4 Americans drive 30 miles per day. But on top of that,
5 the closer they are to home, the more people will allow
6 themselves to be distracted. They stop focusing on
7 their driving. They start to look at what's around or
8 who they know, or they get lulled into that sense of
9 security since it's familiar.

10 So that complacency becomes a real issue. So how
11 do we as drivers, whether it's in the summer or when
12 kids are out of school or just going to work, what do
13 we do? The first thing is is that we need to always
14 make sure we're focused on our driving. That has to be
15 the first task. The other thing is to obey the speed
16 limit, don't put your situation where you have to react
17 faster than you need to based on the conditions and --
18 and again, you're familiar you're comfortable. And
19 then lastly is to stay vigilant all the time that --
20 that things are changing constantly, and -- and don't
21 fall into that false sense of security.

22 So like my son who taught me a lesson yesterday and
23 reminded me we need to be vigilant and don't be
24 comfortable. I agree with everyone else on that as
25 well. Thank you, and have a good morning.



1 CHAIR JENKINS: Thank you very much.
2 Appreciate that.

| | |
|---|-----------|
| 3 | ROLL CALL |
|---|-----------|

5 CHAIR JENKINS: So we're going to go on to our
6 roll call. So, board members, if you'd please unmute
7 your mics to save a little time. But we'll start off
8 at the top of the list, and Secretary Wayne Molesworth.

9 SECRETARY MOLESWORTH: Here and online.

10 CHAIR JENKINS: Thank you very much.

| | |
|----|-------------------------|
| 11 | Board Member Kerry Cox? |
|----|-------------------------|

| | |
|----|------------------------------------|
| 12 | BOARD MEMBER COX: Here and online. |
|----|------------------------------------|

13 CHAIR JENKINS: Jason Jenkins, Chair, here in
14 Tumwater.

| | |
|----|-------------------------|
| 15 | Board Member Erick Lee? |
|----|-------------------------|

16 BOARD MEMBER LEE: Here and joining online.

17 CHAIR JENKINS: Board Member Jeff Knottingham?

18 BOARD MEMBER KNOTTINGHAM: Here online.

19 CHAIR JENKINS: Thank you.

| | |
|----|-------------------------|
| 20 | Board Member Mike Nord? |
|----|-------------------------|

21 BOARD MEMBER NORD: Here online.

22 CHAIR JENKINS: Thank you.

| | |
|----|-----------------------------|
| 23 | Board Member Ivan Isaacson? |
|----|-----------------------------|

| | |
|----|----------------|
| 24 | (No response.) |
|----|----------------|

25 CHAIR JENKINS: Thank you.

1 Board Member Don Baker?

2 (No response.)

3 CHAIR JENKINS: Board Member Kevin Davis?

4 BOARD MEMBER DAVIS: Here and online.

5 CHAIR JENKINS: Thank you.

6 Board Member Bobby Gray?

7 BOARD MEMBER GRAY: Here in the room in
8 Tumwater.

9 CHAIR JENKINS: Thank you.

10 Attorney Ben Blohowiak?

11 MR. BLOHOWIAK: Good morning. I'm here
12 attending via Zoom.

13 CHAIR JENKINS: Thank you very much.

14 Board Member Gregory Johnson?

15 BOARD MEMBER JOHNSON: Present online.

16 CHAIR JENKINS: Thank you.

17 Board Member James Tumelson?

18 BOARD MEMBER TUMELSON: Present and online.

19 CHAIR JENKINS: Thank you.

20 And Board Member Stephen Entrekin?

21 BOARD MEMBER ENTREKIN: Here and online.

22 CHAIR JENKINS: Thank you.

23 And Board Member Byron Allen?

24 BOARD MEMBER ALLEN: Here online.

25 CHAIR JENKINS: Wow. It's probably our



1 highest attendance in a long time. For the record, we
2 do have a quorum, and we're moving on to -- thank you,
3 once again, everyone for attending. I say that.

4
5 APPROVE TRANSCRIPT FROM THE JANUARY 30, 2025, AND
6 JANUARY 31, 2025, ELECTRICAL BOARD MEETING

7
8 CHAIR JENKINS: I'd like to move on to the --
9 entertain a motion to approve the transcripts of our
10 last meeting of January 30th and 31st of 2025.

11 BOARD MEMBER NORD: Board Member Nord, motion.

12 CHAIR JENKINS: We have a motion.

13 Do we have a second?

14 BOARD MEMBER GRAY: Second.

15 CHAIR JENKINS: So Board Member Bobby Gray is
16 a second.

17 So we have a motion. We have a second. Any
18 discussion?

19 Hearing none, all in favor of the motion signify by
20 saying "aye."

21 (Chorus of ayes.)

22 CHAIR JENKINS: Any opposed.

23 (No response.)

24 //

25 //



APPEALS

CHAIR JENKINS: All right. So moving on to appeals.

GREEN HAMMER HOMES: ESICO01061

CHAIR JENKINS: We're at Number 3 here with Green Hammer Homes.

Is there a representative for the Department? If they are, would you please speak and spell your name for the reporter?

MS. ANGELA ZURLINI: My name is Angela Zurlini. My name is spelled A-n-g-e-l-a, and my last name is Z-u-r-l-i-n-i, and I'm also appearing by Zoom.

CHAIR JENKINS: Thank you very much.
And do we have a representative for Green Hammer here today?

MR. LANG: Yes. This is Graham Lang. I'm online.

Can you hear me?

CHAIR JENKINS: Yeah. If you can, would you speak and spell your name, please.

MR. LANG: Yes. It's G-r-a-h-a-m, and my last name L-a-n-g.



1 CHAIR JENKINS: Thank you very much.

2 This matter before us today is an appeal in the
3 matter of Green Hammer Homes, Docket Number
4 12-2023-LI-02021. This hearing is being held pursuant
5 and due to proper notice to all interested parties and
6 proceeding via Zoom on April 24, 2025, at approximately
7 9:14 a.m. This is an appeal from an initial appeal
8 issued by the Office of Administrative Hearings on May
9 20, 2024. And it's my understanding the decision set
10 aside Citation and Notice Number ESIC001061 issued by
11 the Department of Labor and Industries on July 6, 2023.

12 It is further my understanding that the Department
13 has timely appealed this decision to the Electrical
14 Board. The Electrical Board is the legal body
15 authorized by the Legislature to not only advise the
16 Department regarding the electrical program but to hear
17 appeals when the Department issues citations or takes
18 some adverse action regarding electrical license,
19 certification and/or compliance. The Electrical Board
20 is the -- sorry. Electrical Board is completely
21 separate entity from the Department and such -- as such
22 will independently review the actions taken by the
23 Department.

24 When the Department issues penalties, the hearing
25 is assigned to the Office of Administrative Hearing to



1 conduct the hearing pursuant to the Administrative
2 Procedures Act. The ALJ conducts the hearing and
3 issues a proposed decision and order. If either party
4 appeals, the decision is subject to review by the
5 Electrical Board.

6 Please keep in mind that while our review is de
7 novo, in other words, we will sit in the same position
8 as the administrative law judge and will review the
9 entire record, regardless of whether the certain piece
10 of evidence is referenced by the ALJ, we are bound by
11 the evidence in the record, and no new evidence can be
12 submitted at this hearing.

13 Each party will be given 15 minutes today to argue
14 the merits of your case. Any board member may ask
15 questions at the time. At any time the time will be
16 extended at the discretion of the board. At the
17 conclusion of the hearing, the board will determine if
18 the findings and conclusions reached by the ALJ are
19 supported by the facts and the rules pertaining to the
20 electrical installations.

21 Are there any questions before they begin?

22 Hearing none, as the appealing party, you will have
23 the burden of proof to establish the proposed decision
24 is incorrect, therefore we hear from you first. I
25 believe that would be the Department.



1 MS. ZURLINI: Good morning, Chairperson
2 Jenkins and members of the board.

3 I'm appearing today to represent the Department in
4 its appeal to OAH's decision to set aside Noncompliance
5 Citation Number ESICO01061 and its associated penalty.

6 As the certified board record reflects, the
7 Department issued three citations in total. After
8 receiving and considering all the evidence presented at
9 hearing, OAH agreed Green Hammer Homes LLC performed
10 electrical work at the South Hogan Street address
11 without a valid electrical contractor's license.
12 Additionally, OAH agreed Graham Lang performed
13 electrical work at that same address as an uncertified
14 electrician. Both are reflected in OAH's May 20, 2024,
15 initial order under Conclusion of Law 5.39. Neither
16 determination was appealed by Green Hammer Homes LLC or
17 Graham Lang, making both final and not subject to the
18 board's review.

19 In its appeal the Department is seeking the board's
20 review of OAH's decision to set aside the third
21 citation, Number ESICO01061, that was issued to Green
22 Hammer Homes Incorporated for employing an uncertified
23 electrician to perform electrical work at the South
24 Hogan Street address. Members, in reaching its
25 decisions, OAH relied on the absence of evidence



1 regarding how Green Hammer Homes LLC compensated Graham
2 Lang for the electrical work he performed at the South
3 Hogan Street address. Additionally, OAH blurred the
4 line between Green Hammer Homes LLC as an entity and
5 Mr. Lang as an individual by attempting to assess who
6 controlled who. They asked: Did Mr. Lang control
7 Green Hammer Homes LLC as an owner, or did Green Hammer
8 Homes LLC control Mr. Lang as an employee? OAH called
9 it circular reasoning with no logical conclusion.

10 The Department asserts there is in fact a logical
11 conclusion and argues OAH's decision to set aside
12 Citation Number ESICO01061 is incorrect. Members, it
13 does so for the following reasons:

14 First, Green Hammer Homes LLC is its own legal
15 entity separate apart from any person. As a limited
16 liability corporation, Green Hammer Homes LLC has the
17 same power as an individual that includes its ability
18 to enter into contractual agreements with other
19 individuals and other entities. It is a legally formed
20 entity that is separate and apart from Graham Lang, who
21 is an individual. It was Green Hammer Homes LLC that
22 entered into the contract with the owners of the South
23 Hogan Street property, not Mr. Lang. Green Hammer
24 Homes LLC is the contractor named on the demolition
25 permit. It was Mr. Lang as an individual who performed



1 the demolition work under Green Hammer Homes LLC's
2 contract and under Green Hammer Homes LLC's demolition
3 permit. The demolition work performed by Mr. Lang
4 included removing electrical wiring and components.
5 Mr. Lang was not a certified electrician when Green
6 Hammer Homes LLC used him for that purpose. Green
7 Hammer Homes LLC was the corporation that used or
8 employed Mr. Lang to perform the electrical work at the
9 South Hogan Street address as an uncertified
10 electrician.

11 As discussed on page 4 of the Department's brief,
12 Mr. Lang in his own words separates himself as an
13 individual from Green Hammer Homes LLC. If you go to
14 page 4, you will see that when asked to confirm Green
15 Hammer Homes LLC was the applicant on the demolition
16 permit, Mr. Lang testified "Well, sure. It has to be.
17 I mean they're the contractor." When asked to confirm
18 he was the person performing the demolition work under
19 the permit, Mr. Lang separated himself by stating Green
20 Hammer Homes was. Mr. Lang testified there was no
21 intention he says "by myself," meaning him or Green
22 Hammer Homes to do actual electrical work. Mr. Lang
23 openly acknowledges that he and Green Hammer Homes are
24 not one and the same.

25 The same holds true if you read his appeal, Green



1 Hammer Homes' appeal. In there he states -- Mr. Lang
2 states "I understand that with real offenses where
3 corporations try to hide behind their structure for
4 legal protections these sort of actions may be
5 necessary. But for a minor infraction where neither
6 corporation nor individuals is trying hide, it's just
7 another example of overreach."

8 Mr. Lang confirmed his understanding that by
9 forming Green Hammer Homes as a limited liability
10 corporation he created a wall or a shield that
11 separates him as an individual from the actions of the
12 limited liability corporation. Green Hammer Homes LLC
13 is not Graham Lang. And Graham Lang is not Green
14 Hammer Homes LLC. Instead, Green Hammer Homes LLC is
15 the corporation that employed or used Mr. Lang to
16 perform the electrical work at the address placing it
17 squarely within the requirements of RCW 19.28.271.
18 Second, RCW 19.28.271 uses the word "employ," not
19 employment. If you look at the dictionary, and as I
20 point out in the Department's brief on page 5, the
21 dictionary defines employ as meaning to use, utilize,
22 make use of, and to devote to or direct toward a
23 particular activity. In this instance Green Hammer
24 Homes LLC employed, used, utilized, made use of
25 Mr. Lang to perform the electrical demolition at the



1 South Hogan Street.

2 Third, neither RCW 19.28 nor WAC 296-46B require
3 the Department to establish an employee-employer
4 relationship before it can issue a citation under RCW
5 19.28.271. The Department's sole burden was to prove
6 by a preponderance of the evidence that Green Hammer
7 Homes LLC as a corporation employed, meaning used,
8 Mr. Lang as an individual to perform electrical work as
9 an uncertified electrician. Members, the weight of the
10 evidence proves the violation on appeal. The
11 Department has met its burden of proving by a
12 preponderance of the evidence Green Hammer Homes LLC
13 employed Graham Lang to perform electrical work as an
14 uncertified electrician in violation of RCW 19.28.271.

15 The Department asks the board to reinstate
16 Noncompliance Citation ESICO01061 and its associated
17 penalty. Thank you.

18 CHAIR JENKINS: Thank you very much.

19 Mr. Graham Lang.

20 MR. LANG: Yeah. Can you hear me?

21 CHAIR JENKINS: Yes, we can.

22 MR. LANG: So the specifics of the appeal by
23 the attorney general concerning the one citation that
24 the hearing examiner set aside is completely irrelevant
25 because the testimony of her only witness from Labor &



1 Industries is completely flawed, inaccurate, and
2 inconsistent with the code. His testimony confirms my
3 original defenses.

4 The facts are well established. I was cited by L&I
5 for doing electrical demolition with the breakers off
6 but the panel not de-energized. At his site visit,
7 Simshauser said I needed to get my electrician to pull
8 a permit, de-energize the panel, and wire designated
9 GFCI protected 20 amp temporary circuits for tools
10 during the remodel. My electrician pulled the permit
11 immediately, came to the house the next day. He
12 de-energized the panel by simply loosening the screws
13 on the breakers that were not in use and pulling the
14 wires out of those breakers. He kept two of the
15 breakers energized for temporary power and for the
16 owners to have use of the garage.

17 During the hearing I asked Mr. Simshauser how to
18 de-energize a panel. He said you go up on the roof to
19 the service mast and unhook the service wires feeding
20 the panel. This makes his instructions impossible. It
21 is completely inconsistent with how the situation would
22 be handled during a remodel in general. If you unhook
23 the power from above the service panel, you would have
24 no power to the property at all, zero, so you could not
25 establish temporary power for tools. His testimony as



1 the expert is the only evidence against me. So not
2 only should the current violation be dropped, but the
3 other two that were upheld should be reversed as well.
4 It seems abundantly clear that if L&I and the AG do not
5 know how to de-energize a panel and cannot give
6 consistent and accurate instructions as to how to
7 comply with the code, it is unfair and abusive to cite
8 me. Based on his testimony, my -- my compliance would
9 have been impossible. I now know the process, which is
10 a super valuable tool, and have subsequently used this
11 process as done by my electrician and not the
12 impossible process established by Mr. Simshauser.

13 So before I proceed on this specific upholding, I
14 would like to give the AG an opportunity to do the
15 right thing, and despite any legal technicalities and
16 the denial of my appeals of the other two citations
17 based on unfair timelines -- I did try to appeal the
18 other two. It was determined that I didn't respond in
19 time, although -- and again, we can talk about this in
20 more detail. I was given an extraordinary short amount
21 of time to appeal. But ignoring all of those
22 technicalities, if she agrees that her expert testimony
23 is completely flawed, reverses those charges, and drops
24 this current appeal, then that's great. Otherwise, I
25 would like to add additional defense.



1 CHAIR JENKINS: Thank you very much.

2 Comments from the board?

3 Board Member Gregory Johnson.

4 BOARD MEMBER JOHNSON: Yeah, a question for
5 Mr. Lang, just to clarify. So was your attempt to
6 appeal the ALJ's initial order, was that filed timely
7 or not?

8 MR. LANG: No. So technically no. So I
9 received -- the hearing examiner's ruling was on May
10 20th. I received in the mail certified mail on June
11 1st that I had lost the two, and the one was set aside.
12 I -- again, I'm at a massive disadvantage. I've never
13 been to court, never been in a hearing. I'm educated.
14 You know, I was a political science major at Gonzaga.
15 I worked for Speaker Foley Capital Hill, but, look,
16 I -- you know, I don't do this every day. I work 70
17 hours a week. So when I mailed out my appeals on these
18 two, it was sent on the day that it should have been
19 received. And so then I was denied based on the
20 timeliness of the appeals. But again, in reality I
21 would have only had a couple of days to get this in the
22 mail.

23 So it seems that this is again kind of an
24 irrelevant point because the entire State's case
25 against me is just void. The inspector and expert



1 testimony is just wrong. And so this is what I'm
2 saying is I'm not going to be able to defend myself on
3 the legal technicalities very well. I mean Ms. Zurlini
4 is an attorney. She does this all day. Look, we can
5 all be honest and say I'm going to lose if it's about
6 legalese. But in reality I've been nothing but honest.
7 I've been transparent. I tried to mediate this. I've
8 done everything I possibly could. And the only
9 testimony against me is flawed. It seems like she
10 would want to do the right thing and just say, yeah,
11 like if -- if we're going to hold you to all these
12 timelines and all of these standards, the State would
13 like to also hold themselves to a standard that you
14 can't have completely flawed expert witness testimony
15 used against you regardless of the timeliness of my
16 response.

17 And then by the way, not only did I not receive the
18 notice for 11 days, May 20th to June 1st, but then it
19 took the Electrical Board -- and this -- I don't have
20 this information right in front of me, but, again, I'm
21 a very honest person. I didn't receive notice that my
22 appeal had been denied on the timeliness for, like, two
23 months. So it's like they get two months to say I'm
24 denied, but I got four days to get it in the mail to
25 respond. I mean this whole process has been really



1 disheartening to me in that I'm at a competitive
2 disadvantage and, really, no one is being my advocate
3 here.

4 And so, you know, I don't know what more to add. I
5 do -- I would -- if she's not going to drop the
6 charges, then I do have some additional defense
7 specific to what she was just addressing. But I just
8 feel like if I were to go to her superiors at the AG,
9 if I were to go to State Legislature, if I were to go
10 to Avista Utilities, you know the "Spokesman Review,"
11 the "Seattle Times," Seattle Power, they would not be
12 happy to know that she's essentially rewriting the way
13 the de-energizing a panel works. It would be like one
14 of the biggest changes to the construction in the
15 history of the state of Washington. If every single
16 remodel, like if you're going to remodel a bathroom,
17 and you have to literally unhook power to the entire
18 house and then in theory set up a temporary pole and
19 power, I mean this would add -- again, I don't -- it
20 would add tens of millions of dollars every year to the
21 cost of construction if you take the L&I's inspector at
22 his word that you have to unhook at the service mast,
23 that is not this process.

24 I asked the question at the hearing to prove that
25 this was a minor technicality, the breakers were off,



1 it was safe, it hadn't been de-energized the way my
2 electrician did it, but then he gives his testimony so
3 I imagine, you know, the lawyers at Avista would not
4 really like to have to -- I mean they're not going to
5 be intimidated by Ms. Zurlini in a legal way that I am,
6 and they would not like having to kill the power to
7 every house that, you know, basic remodels are done at.
8 And so I don't know why we would want to set this
9 precedent just trying to cite me over, you know, what
10 is obviously vague now proven by the inspector's
11 comments but this -- this minor technical process of
12 de-energizing, which even the state, she doesn't seem
13 to know the code, the inspector doesn't seem to know
14 the code or care to state it accurately. So again, it
15 really confirms all my original defenses that this is
16 just overreach and abusive. And I've tried to do
17 everything I can to be honest, straightforward. I've
18 acknowledged that I now know it. I utilize the
19 process.

20 We could talk more about why the process is
21 probably not known in the industry. I mean imagine
22 electricians don't want people to know how much
23 electrical work they could do, and how easy it is to
24 de-energize under the real circumstances, not
25 circumstances stated by Mr. Simshauser. But anyway, I



1 mean, that was a lengthy response to your question, but
2 I guess it's kind of what needs to be said.

3 BOARD MEMBER JOHNSON: I feel for you, and I
4 apologize for your experience, but I don't believe we
5 have the -- I mean if the appeal wasn't timely, I don't
6 believe we have the power to consider that aspect of
7 this.

8 MR. LANG: She could. She's the attorney
9 general. She could do the right thing.

10 BOARD MEMBER JOHNSON: Maybe Ben could weigh
11 in. I mean I don't -- that's not on the table, is
12 that?

13 CHAIR JENKINS: This is Jason Jenkins, the
14 chair. We need to get back on to the original order
15 here. We have an order in front of us today. The
16 other orders have been passed through. We don't have
17 legal standing to go make any changes on those. So the
18 issue before us is whether to set aside the order --
19 leave it set aside, or are we to actually invoke that
20 order. The other ones --

21 MR. LANG: Can I add -- can I add my specific
22 defense to her claims that she just cited there about
23 the business entity versus me as an individual?

24 CHAIR JENKINS: Actually, you've already had
25 your chance to do your introduction. This is the point



1 where we're going to have the Electrical Board ask you
2 questions about it.

3 MR. LANG: Okay.

4 CHAIR JENKINS: Okay. Thank you very much.

5 Secretary Wayne Molesworth, I think you have the
6 floor. Secretary Wayne Molesworth, your mic is muted
7 currently.

8 SECRETARY MOLESWORTH: Sorry about that.
9 Thank you, Mr. Chairman.

10 I have a question and a comment about the relevance
11 of the inspector's statement as for how to de-energize
12 a panel. First of all, is that how the question was
13 based; "how do I de-energize a panel?"

14 MR. LANG: That was the question that was
15 asked almost exactly as that to the inspector, yes.

16 SECRETARY MOLESWORTH: Okay. So actually
17 being a journeyman electrician and being in the
18 electrical industry for almost 50 years now, what I
19 will tell you is to de-energize a panel, you would
20 either have to turn off the main breaker, but that
21 doesn't safe-off anything because the breaker can be
22 turned back on. The only way to actually safe-off a
23 panel is to de-energize it from the service entrance
24 coming into the house, which is what you had described.
25 What your electrician has done -- and you did hire an



1 electrician after the fact, it appears, and what he did
2 was he disconnected the wires for the specific circuits
3 that were to be affected. That wasn't the question to
4 the inspector. We do not give advice and shouldn't
5 give advice. That's why you hire electricians to do
6 that work that was done.

7 That's all I have, Mr. Chairman. Thank you.

8 CHAIR JENKINS: Thank you very much.

9 Any other board members have any questions? If you
10 have your hand up and don't it up, please turn down so
11 that I can know that you're requiring assistance.

12 BOARD MEMBER JOHNSON: So I have another
13 question. So I'm moving on -- moving off the part that
14 wasn't -- that wasn't appealed in time because we can't
15 consider that. So just on the portion that was
16 appealed, that's the differentiated what the word
17 "employed" means. To my knowledge past precedent of
18 this board has never differentiated between or treated
19 a worker who was an owner different than an employee.
20 It's only -- the only differentiation I've ever heard
21 was between employee and contractor.

22 Either Mr. Lang or Assistant Attorney General
23 Zurlini, are you aware of any instance where the board
24 or L&I has differentiated between either an owner or an
25 employee as a worker?



1 MS. ZURLINI: So could I repeat back to you
2 what I think you're asking?

3 BOARD MEMBER JOHNSON: Yes, please.

4 MS. ZURLINI: Okay. So are you asking whether
5 or not the Department or the board has treated an
6 entity and its owner as the same person?

7 BOARD MEMBER JOHNSON: Well, no, I'm referring
8 specifically when someone performing work on site for a
9 company whether that person was the owner or whether it
10 was a separate employee of the company. Has the board
11 or anyone -- are you aware of any time that they've
12 been treated differently, like, for citations?

13 MS. ZURLINI: So from my perspective, I would
14 actually have to talk with the electrical program. I
15 know that there are different scenarios that might
16 distinguish one from the other. So I'm a little
17 hesitant to answer that.

18 CHAIR JENKINS: This is Chair Jenkins stepping
19 in for a second. That's actually not part of our board
20 packet, so that would be kind of outside the scope of
21 this particular meeting. So I'm going to have to hold
22 you back on that question. I realize what you're
23 saying.

24 BOARD MEMBER JOHNSON: Okay.

25 MR. LANG: I guess my comment to that would be



1 I think that the fact that myself as an individual and
2 Green Hammer Homes are separate entities, it's pretty
3 apparent. But I think the abuse is that it's treating
4 it like Green Hammer Homes is (indiscernible) it. So,
5 you know, Green Hammer Homes doesn't have an intellect.
6 It can't make decisions. And so, like, even her
7 quoting my comment when I said, you know, who was on
8 the permit in the city of Spokane, and I said, Well,
9 it's Green Hammer Homes. It has to be. They're the
10 contractor. The statement doesn't really mean
11 anything. All government agencies will only issue
12 permits to the licensed and bonded contractors with the
13 exception of homeowners working on their own home. You
14 know, I assume she would know this. So I cannot obtain
15 the permit at someone's house because I'm not the
16 licensed entity. Only the licensed entity could do it.
17 But, like, even though that's the case, I sign all of
18 the paperwork in my name. The contract with the
19 homeowners references Green Hammer, but sign my name.
20 She implies I created Green Hammer Homes as a shield.
21 I mean this is kind of presumptuous, wrong, and it's
22 insulting thinking that my company is shield. It seems
23 you intend to create harm. I've never done this. My
24 company was created because I had a business partner.
25 Naming a company with two people's names would be



1 awkward. And I don't think that two separate
2 individuals can be merged into a single licensed entity
3 without creating a corporation. So again this is my --

4 CHAIR JENKINS: I'm cutting you off there,
5 Mr. Lang because you're not listening when I am trying
6 to interrupt you, and you're going beyond, once again,
7 the scope of this particular system. So I'm going to
8 ask you to please, A, listen to when I speak up and try
9 to stop you. And second of all, please stay within the
10 questions and within this board packet.

11 Any other board member have any questions or
12 comments for --

13 BOARD MEMBER JOHNSON: I've got one last one.

14 CHAIR JENKINS: Go ahead.

15 BOARD MEMBER JOHNSON: Essentially, if I
16 understand the issue, page 9 of the packet is really
17 whether Green Hammer employed its owner or not. And
18 I'll just state on the record is I do not agree with
19 the ALJ's Conclusion of Law 5.15. Merely I believe the
20 word employed is commonly known as you're working for
21 or as a agent of a company. So and as you read further
22 in the ALJ's order, it appears that he's trying to use
23 employment law and tax law, which are very nuisance
24 [sic] laws -- statutes (audio distortion) redefine the
25 word employed. So I'll just state that I don't agree



1 with the ALJ's Conclusion of Law 5.15.

2 CHAIR JENKINS: Thank you.

3 Before I step in, do any of the other board members
4 want to speak up concerning this matter?

5 MS. DIETRICH: Jack Knottingham is trying
6 (audio distortion) but can't find the raise hand
7 function.

8 CHAIR JENKINS: Thank you.

9 So, Board Member Jack Knottingham, the floor is
10 yours.

11 BOARD MEMBER KNOTTINGHAM: There we go. All
12 right. Board Member Jack Knottingham. I agree with
13 the comment about disagreeing with the ALJ's conclusion
14 of law. If you look under any reference to this, if
15 you look under the (audio distortion) filed under RCW
16 19.28.271 I believe that the ALJ is running counter to
17 the intent by the Legislature. And the case that he
18 cites under Conclusion of Law 5.23 is employment law,
19 and it's really not applicable. It's establishing
20 liability for Southern Pacific Railroad to a person
21 that was injured doing work for them. So I disagree
22 with the conclusion of the law. I think the citation
23 should be upheld and this order should be reversed on
24 this one case, this one citation. Sorry.

25 CHAIR JENKINS: Thank you very much. Chair



1 Jenkins.

2 Is there any other board members that would like to
3 speak to this?

4 So at this point I want to bring up my input on
5 this. And then I'm glad to see that Mr. Lang -- that's
6 correct? I'm glad to see that you actually recognize
7 that it does take an electrician to do what was being
8 done because in order for any person to work on the
9 electrical system, I would expect a lockout tag on the
10 breaker, disconnection of the breaker, all this, and
11 then verify that the circuit has been shut off. This
12 is why we have electrical laws and we have electricians
13 out there. For a builder or just a general contractor
14 to go pull studs, pull devices off because someone shut
15 a breaker off somewhere, what you're doing is
16 electrical work. And I think you recognize that, and I
17 appreciate your -- it sounds like you're understanding
18 of that. But I will say that it looks like to me,
19 since you are the contractor/owner, your company
20 employs you to remove the wiring from the walls and the
21 walls. Therefore, I think both board members have
22 spoke up. I believe they're correct. I think this
23 should actually be reversed so it -- and set aside, as
24 the ALJ has said.

25 And if there aren't any other comments, I would



1 like to -- the Chair would entertain a motion at this
2 point.

3 MR. LANG: Is there any way I can make one,
4 kind of, additional comment concerning the legal
5 technicalities? I mean I think the --

6 CHAIR JENKINS: I'm going to stop you there.
7 No, sir, there is questions asked of you at this point.
8 So at this point here we're at the board point where
9 the board members can ask questions.

10 MR. LANG: Can somebody ask me a question
11 about my controlling --

12 CHAIR JENKINS: Once again I'm going to ask
13 you to stop right there.

14 Are there any more board members available -- any
15 other board members that want to speak up.

16 Once again, the Chair would entertain a motion.
17 Board Member Gregory Johnson?

18 BOARD MEMBER JOHNSON: I'll make a motion to
19 reverse that 5.15 and the following conclusions of law
20 that were supporting 5.15, and so essentially reversing
21 so that there is a fine for employing an unlicensed
22 worker.

23 CHAIR JENKINS: So your motion is to reverse
24 the citation that was set aside by Citation Number
25 ESIC001061; is that correct?



1 BOARD MEMBER JOHNSON: That is correct. And
2 then also changing the conclusion of law, which is
3 long. There's quite a few of them. But starting at
4 5.15 and going down.

5 CHAIR JENKINS: And to correctly apply the
6 conclusions of law into our decision?

7 BOARD MEMBER JOHNSON: Yeah. And may be good
8 just to strike -- I mean change 5.15 and strike most of
9 the other -- the rest of it below that follows 5.15.

10 CHAIR JENKINS: We have a motion.
11 Do we have a second?

| | |
|----|-----------------------------------|
| 12 | BOARD MEMBER KNOTTINGHAM: Second. |
|----|-----------------------------------|

13 CHAIR JENKINS: We have a motion. We have a
14 second.

15 Any discussion? Give a second for anybody to
16 unmute their mics.

17 Hearing none, all in favor of the motion signify by
18 saying "aye."

19 (Chorus of ayes.)

20 CHAIR JENKINS: Any opposed?

| | |
|----|----------------|
| 21 | (No response.) |
|----|----------------|

22 CHAIR JENKINS: Motion passes.

23 So at this point here, the board has made its
24 decision.

25 Would the -- I'm going to mess up your name here --



1 Assistant Attorney General Zurlini, would you please
2 get in contact with Graham Lang to see if you can reach
3 an agreement that best reflects the decision of the
4 board? Please be advised if you do not reach an
5 agreement today, this matter will be automatically set
6 for presentment at the next regularly scheduled board
7 meeting. If an agreement order has not been received
8 by the State, the parties will be expected to file
9 their proposed orders and appear and advise why the
10 proposed order reflects the board's decision. Hoping
11 this won't be necessary. If you're able to reach an
12 agreement to the form of the order in which the -- by
13 the next meeting, please forward it to the secretary of
14 the board's office, and they will ensure it gets signed
15 and copies provided to the parties.

16 And I guess I should give you more time there.
17 Assistant Attorney Angela Zurlini, are you able to
18 contact Graham Lang?

19 MS. ZURLINI: Yes.

20 CHAIR JENKINS: Thank you. I didn't give you
21 a chance to respond. Thank you very much. I
22 appreciate it. Thank you very much for your time.

23 MS. ZURLINI: Thank you.

24 //

25 //



1 JOE HALL CONSTRUCTION: ECHBO01995, EXHBO01996,
2 ECHBO01997, ECHBO01997, ECHBO01998
3

4 CHAIR JENKINS: All right. So moving on to
5 our next appeal, we are at the Joe Hall Construction.
6 Is there a representative from the Department here
7 present?

8 MS. BARCELONA: Wendy Barcelona for the
9 Department.

10 CHAIR JENKINS: Could you spell your name for
11 the court reporter, please.

12 MS. BARCELONA: W-e-n-d-y B-a-r-c-e-l-o-n-a.

13 CHAIR JENKINS: Thank you very much.

14 And it appears there is a representative for Joe
15 Hall Construction. Would you speak and spell your name
16 for the reporter, please.

17 MR. KEEHNEL: Yes. My name is Philip Keehnel,
18 P-h-i-l-i-p K-e-e-h-n-e-l.

19 CHAIR JENKINS: Thank you very much.

20 The matter before us today is the appeal in the
21 matter of the Joe Hall Construction, Docket
22 12-2021-LI-01739. The hearing is being held pursuant
23 due to proper notice to all interested parties and
24 proceeding via Zoom on April 24, 2025, at approximately
25 9:48 a.m. This is an appeal of an initial order issued



1 by the Office of Administrative Hearings on August
2 30,2024. It is my understanding the decision affirmed
3 Citation Notices ECHBO01995, ECHBO01996, ECHBO01997,
4 and ECHBO01997 issued by the Department of Labor and
5 Industries on July 19th of 2023.

6 It is further my understanding the appellant has
7 timely appealed the decision to the Electrical Board.

8 Did both parties hear my remarks for the procedure?

9 MS. BARCELONA: Yes.

10 CHAIR JENKINS: Do you have any questions, or
11 do you want me to repeat those?

12 MR. KEEHNEL: No questions.

13 MS. BARCELONA: No questions.

14 CHAIR JENKINS: Thank you.

15 Mr. Philip -- is it Keehnel?

16 MR. KEEHNEL: Keehnel.

17 CHAIR JENKINS: You have the burden of proof
18 to establish the proposed decision is incorrect,
19 therefore, we'll hear from you first.

20 MR. KEEHNEL: I'd like to thank you -- thank
21 everybody for hearing the case.

22 Little background on Joe Hall Construction. We've
23 been in business for 70 years. I've worked for this
24 company for 45 years, and we've always subcontracted
25 electrical services. We had -- for a brief time, we



1 employed a licensed electrical administrator, and he
2 was a journeyman electrician but, it was a short period
3 of time. We've always subcontracted all electrical
4 services.

5 The system that was installed was just right inside
6 the fenced area near the job shack. There was numerous
7 electrical inspections on this site before Mr. Chavez
8 visited the site and cited us for the electrical work.
9 None of the inspectors -- they had to walk by past the
10 camera. None of the inspectors questioned this system
11 as a permit or not inspected. We're disputing the
12 facts that the components require a permit.

13 During the administrative hearing, Judge Dowie
14 reviewed and ruled on the interpretation of the
15 Washington WAC codes. I feel that he relied solely on
16 the core inspector's statement that the system was
17 permittable and that Joe Hall Construction violated the
18 specific WAC code.

19 I've spent a lot of time going over the WAC codes
20 trying to find exemptions. And -- and during the
21 review, I've talked to a lot of people, electrical
22 inspectors, electricians, and everybody has told me
23 that if it's cord-and-plug -- molded cord-and-plug that
24 it's not -- does not require a permit for us to plug
25 the cords together.



1 The camera system was part of the bid documents.
2 We do this work for BP. Specifically on the bid
3 document, electricians that bid these projects, they
4 pick up all the electrical work and are responsible for
5 getting a permit for all the electrical work done on
6 the site. If there was any thought that this camera
7 system needed to have an electrical permit, it would
8 have been included in their bid, and it would have been
9 included in their contract.

10 A year earlier the same system and components was
11 installed in Kirkland. It was an active construction
12 site. There were numerous electrical inspections,
13 including streetlight, lighting work, and signal work
14 inspections right there, and nobody questioned the
15 validity or needing a permit for it.

16 We're disputing Judge Dowey's ruling based on the
17 interpretation of the cord-and-plug components along
18 with his interpretation of the term "firm."

19 RCW 19.28.010(1) specifies that RCW 19.28 applies
20 to all electrical wires and equipment and installations
21 thereof. I gotta ask the board: Have any of you ever
22 considered a cord with a molded plug a wire? Have you
23 guys ever called it a wire? I've never heard an
24 electrician call a molded plug-and-cord wire. Under
25 the definition, a cord does not fall under the RCW



1 19.28. Excuse me. I'm a little nervous. RCW
2 19.28.041 prohibits an entity from engaging in and
3 conducting or carrying on business of installing or
4 maintaining, again, wires or equipment that convey
5 electric current without having an electrical
6 contractor license. Again, molded cord-and-plug has
7 never fallen under our opinion as doing electrical
8 work. And a device with a plug, a molded cord-and-plug
9 on it is not considered equipment in our industry. It
10 may be in the electrical industry definition term. I
11 don't know.

12 WAC 296-46B-100 defines the installation as an act
13 of performing work on an electrical system, component,
14 or, again, a wire. We did not work on any of the
15 components. It was sent to us. They were individual
16 components. They all had molded cord-and-plug. So you
17 plugged them together.

18 RCW 19.28.006(8) defines the electrical contractor
19 as a firm that submits a bid or does work of
20 installing, maintaining, again, wires, or equipment
21 that convey electrical current. Again, we didn't
22 maintain any of the equipment. We simply plugged the
23 cords together and set it up on the site.

24 The WAC code 296-46B-925(10) provides the plug in
25 exemption to the general licensing requirements under



1 Chapter 19.28. All the connections, all of them were
2 molded cord-and-plug, factory molded cord-and-plug
3 connections. The plug-and-cord can be field installed
4 per the manufacturer's instructions and product listing
5 requirements. The utilization equipment must be a
6 single manufactured unit including the plug-and-cord.
7 That does not require any electrical field assembly
8 except for the installation of plug-and-cord and is
9 allowed to be plug-and-cord connected by the NEC.
10 These components shown on the exhibit met the cord
11 exemption and being a single manufactured unit
12 including the cord and the plug. Nowhere in the code
13 does it say that multiple components plugged together
14 requires a permit. And that's basically this was a
15 system of multiple components that were plugged
16 together with molded cord-and-plug.

17 They were each -- per the attorney general, they
18 agreed that the installation of multiple components
19 with their own UL listing, so each component with a
20 separate manufactured unit with a cord-and-plug.

21 And an example: If the power went out at a job
22 site and I wanted to bring out my solar panels, set
23 them down, plug them into my solar generator, which
24 powers up my Starlink so I could have Zoom meeting,
25 would I need a permit? I don't think so. I mean I'm



1 asking you guys. Do I need a permit to do that?
2 Similar example would be installing back office
3 computer system with a couple of monitors, cord plugs.
4 Do we need a permit? I -- I wouldn't think so. And
5 none of my boys thought so either. Neither did the
6 electrician.

7 BP/ARCO contracts us normally to provide general
8 contracting services. But because of our specialty
9 license, we're also expected to provide project
10 management and safety oversight. Project management is
11 considered professional services and would fall under
12 the definition of a firm. Joe Hall Construction
13 considers it a project management firm.

14 And there's also an additional exemption, RCW
15 64.38.055, which states "The governing document may not
16 prohibit the installation of a solar energy panel by an
17 owner or resident on an owner or resident's property."
18 We established we had full authorization and function
19 as an owner agent for the property under construction
20 with BP.

21 During the inspection on June 9th, Mr. Chavez
22 failed, by his own admission during the administrative
23 hearing, to understand how the system operated. He did
24 not know the voltage. He didn't know how the system
25 was connected. He didn't open any of the boxes or look



1 at any of the components. There was multiple errors
2 and inconsistencies in his statement.

3 I found out about the inspection on or about July
4 11th and talked to Mr. Chavez and decided to
5 proactively pull a permit and -- have our electrician
6 pull a permit for the thing and have it inspected. I
7 didn't want to admit guilt, but I didn't want to have a
8 system out there that wasn't legal or there was any
9 problems. So I asked at Allied Electric to pull a
10 permit for this -- for this camera system.

11 On July 12 the system was inspected by Christina
12 Daniels, electrical inspector for the State of
13 Washington, and I was told that she questioned the
14 electrician, Allied Electric, on why or what she was
15 inspecting. The electrician explained that the
16 representative from E-CORE was requiring a permit. She
17 passed off the system and placed the inspection sticker
18 on the panel. It's in the exhibits.

19 On July 21st I received a call from Allied, after
20 the inspection of this camera system, and they said
21 that there were -- the approval sticker was removed,
22 and there was four corrections noted for this system
23 that Christina Daniels passed off. I did some
24 investigation and found out that Richard Nema
25 (phonetic) -- Neemie (phonetic) -- I hope I'm



1 pronouncing his name right -- state electrical
2 inspector had visited the site, removed the sticker,
3 and issued a list of corrections. The site was clearly
4 posted. All visitors were required to check in the
5 office before entering the site. It's fenced off.
6 It's locked up. A written log was maintained by the
7 site by the supervisor and safety officer, and there
8 was no record of Mr. Neemie checking in at the trailer.
9 And none of my employees saw him remove the sticker.

10 Then on July 12th, I have reached out to
11 David Campbell, which was one of the electrical
12 supervisors that was in charge, I guess, of the
13 inspections, and he stated that -- I asked him about
14 the results why they were -- why it was passed, and
15 then why it was removed, and he stated, "Well, we may
16 have had some confusion between our inspectors due to
17 being out of two separate offices." Then he followed
18 up in a follow-up email and said the confusion may be
19 between the inspectors. Whether it's the office or the
20 inspector, there's still confusion between the
21 departments on what the system was and why it needed
22 inspected.

23 We needed to move the camera out of the landscape
24 area to finish the landscaping, so we decided to move
25 it to the top of the office trailer. I asked Allied to



1 pull a permit to put her on the trailer. They were
2 told they did not need a permit as long as it was
3 cord-and-plug connected. So we ended up moving that
4 camera to the top of the trailer for the rest of the
5 job site. There's obviously confusion between the
6 electrical inspection inspector and the permit
7 technicians.

8 I looked up a definition of E-CORE and try and
9 figure out what their responsibilities were after we
10 were cited and found their mission statement. And
11 E-CORE, as you know, stands for Electrical Compliance,
12 Outreach, Regulation, and Education. E-CORE supports
13 the electrical program, the Department's fraud
14 prevention initiative, and goals of protecting
15 consumers, workers, businesses by combatting the
16 underground economy. We've been in business for 77
17 years. I guarantee you that -- I assure you that we
18 are not supporting the underground economy, and we're
19 certainly not trying to commit fraud.

20 We received four citations all related to the same
21 camera system. If we had been offered even some
22 education outreach or something, I might have just
23 moved on, even if it was one citation. Two of the
24 citations are impossible for us to mitigate; one being
25 pulling the permit, and the other is calling for an



1 inspection. I can't pull a permit as a general
2 contractor with our license, and it's impossible to
3 call for an inspection without a permit. So I feel
4 like, you know, okay, maybe he thought that camera was
5 a permitted item. One citation would have been more
6 than sufficient. But stack them on. Go ahead.

7 With our current license, you know, we've been in
8 business for a long time. We've never had any
9 electrical citations. I just hope that you guys can
10 realize that it's a molded cord-and-plug. Everything
11 was molded cord-and-plug. I don't know -- you know,
12 I've talked to all my guys. We do safety training.
13 Every Monday morning we have safety topic and safety
14 training, and electrical comes up all the time. They
15 know we don't touch anything to do with a wire, a
16 connection, an outlet without having the electrician do
17 it. And it just it feels like I've spent over a year
18 and a half on this, and then my whole goal is to keep a
19 clean record. If you look we have no citations. We've
20 never done anything like this before, and -- and I just
21 feel like it's wrong or I wouldn't be here. I mean
22 I've spent a lot of time. The money is nothing. The
23 citation fines is nothing. It's the principal and the
24 fact that I don't feel we committed the crimes that
25 they were accused of. That's all.



1 CHAIR JENKINS: Thank you very much.

2 And Assistant Attorney General Wendy Barcelona?

3 MS. BARCELONA: Yes. Joe Hall Construction
4 was cited for four separate violations, including
5 installing equipment that conveys or utilizes
6 electrical current without a valid contractor license.
7 There's no dispute that Joe Hall doesn't have a
8 contractor -- or electrical contractor's license.
9 Another citation was for the installation being done by
10 employees who don't have electrical certification.
11 There's also no dispute that at the time of the
12 installation Joe Hall was not employing any
13 electricians. There were no employees with electrical
14 certifications. And there's no dispute that it was Joe
15 Hall employees who did the installation. The third
16 violation was for failing to obtain a permit. And the
17 fourth was for not requesting an inspection.

18 Other undisputed facts are that they did not
19 request an electrical permit. Eventually one was
20 requested, but that was by their subcontractor. And I
21 think Mr. Keehnel just testified a little bit or argued
22 about subsequent inspections. The judge found that
23 those were not relevant because those inspections were
24 done for the electrical contractor, not for Joe Hall.
25 And there were inspections subsequent to those permits



1 being pulled.

2 Joe Hall did not own the property. British
3 Petroleum did. Joe Hall was not a tenant. They were a
4 general contractor. So they don't qualify for the
5 ownership exemption. The judge did ask Mr. Keehnel
6 during testimony some questions about whether he paid
7 rent or paid taxes -- or rather whether Joe Hall paid
8 taxes or anything like that. They did not. They were
9 just the contractor on the job.

10 The main issues before you are whether the solar
11 panel and camera installation are equipment that convey
12 or utilize electrical current such that they needed to
13 be installed by an electrical contractor and whether
14 those installations required an electrical permit prior
15 to their installation. There are no explicit statutes
16 or WACs that have an exemption for a general contractor
17 to be able to install this type of system with or
18 without a permit. There are regulations that speak
19 about a system similar to this. Those regulations fall
20 under the Class B permit WAC. It's 296.46B.908(10).
21 And of course you have to be an electrical contractor
22 or electrician to pull a Class B permit. So this
23 doesn't specifically apply to Joe Hall, but this is the
24 only WAC that directly addresses this type of system
25 where solar panels are mounted onto a pole, and those



1 solar panels then power something else. Anyway, Joe
2 Hall isn't an electrical contractor or an electrician,
3 so they wouldn't qualify for this type of permit. But
4 this WAC clearly shows that you do need a permit for
5 this type of system. It's just that only an
6 electrician would qualify for this type of permit.
7 Joe Hall didn't pull a permit through their
8 nonelectrical contractor. They didn't hire or employ
9 electricians at the time, and it was their employees
10 who installed it onto the pole. Solar panels are
11 equipment that convey or utilize electrical current.
12 And without a specific exemption, it had to have been
13 installed by an electrician or electrical contractor.

14 To be clear the Department cited Joe Hall for the
15 installation of the solar panel apparatus, not a
16 camera. Plugging a camera into a wall outlet doesn't
17 require a permit. It's the solar panels that are the
18 issue here.

19 Inspector Chavez testified that as soon as you pull
20 solar panels at the box, it's possible that they will
21 retain a charge. They are not molded plug-and-cord
22 equipment just because there were multiple
23 plug-and-cords that needed to be attached to the solar
24 panel, which was then attached to other equipment to
25 eventually be able to have the camera plugged into it.



1 I believe some of the other possible WACs or
2 exemption cited by Joe Hall include something about
3 them being a firm. I think there's a little bit of
4 confusion here. In the initial order, the judge
5 described Joe Hall as not being a firm who installed
6 listed plug-and-cord connected utilization equipment
7 under WAC 296-46B-925. The judge isn't saying that Joe
8 Hall Construction isn't a firm. It clearly is a firm.
9 It's a company. It's just not the kind of firm that
10 installs listed plug-and-cord equipment utilization
11 equipment as part of their regular business. It
12 doesn't qualify for this specific exemption because the
13 solar panels and camera utilization equipment required
14 field assembly. And solar panels themselves aren't
15 utilization equipment. They are equipment that create
16 charge. They power utilization equipment.

17 Joe Hall hasn't really addressed specifically the
18 request for inspection or the citation for inspection
19 and specifically that electricians needed to be
20 employed to install this equipment. So I have only
21 addressed those two, but the Department respectfully
22 requests that the board affirm the order of the Office
23 of Administrative Hearings and find that the Department
24 was correct in issuing the violations because there's
25 no specific exemption that applies to Joe Hall



1 Construction. And this equipment clearly utilizes
2 electrical current. Thank you.

3 CHAIR JENKINS: Thank you very much.

4 So we're at the point where are there any
5 electrical board members who have any questions or
6 comments?

7 Board Member Gregory Johnson.

8 BOARD MEMBER JOHNSON: I wanted -- this is for
9 Joe Hall Construction. I wanted a confirmation. Is
10 Department's Exhibit 2 on page 283 the same enclosure
11 as Joe Hall's Exhibit M on page 2 of -- says 364 of the
12 board packet.

13 MR. KEEHNEL: I'm sorry I don't have the
14 exhibits in front of me. It's been quite a while when
15 we presented them so I -- I don't -- I do not know if
16 they're the same or not. I'm sorry.

17 BOARD MEMBER JOHNSON: Is there a way to, you
18 know, I mean, have someone pull it up in the room so
19 they can quickly verify that the photos are the same?

20 CHAIR JENKINS: Chair Jason Jenkins.

21 What were the two page numbers you're asking for.

22 BOARD MEMBER JOHNSON: 283 of the board packet
23 and 364.

24 MR. KEEHNEL: What was the question again?
25 I'm sorry.



1 BOARD MEMBER JOHNSON: I wanted to verify
2 are -- is that enclosure the same enclosure? The 283
3 that shows the full enclosure and then Exhibit M on
4 page 364, which shows a little sticker that appears
5 that it was inspected at a later date after you pulled
6 the permit, are those the same enclosure?

7 MR. KEEHNEL: Yes, I believe so.

8 BOARD MEMBER JOHNSON: So then we'll refer to
9 one more picture. So Exhibit H on page 337, which
10 shows the photo of an intake charge controller battery
11 and power inverter, are those items in that Exhibit H,
12 are those what's inside that enclosure?

13 MR. KEEHNEL: To my understanding, yeah.

14 BOARD MEMBER JOHNSON: So then based on that
15 Exhibit H -- well, first off I did not see any
16 additional photos admitted to evidence showing inside
17 that enclosure. Did I -- just to confirm, is that
18 correct?

19 MR. KEEHNEL: That is correct. There is no
20 photos submitted. And Mr. Chavez did not open or look
21 inside or check any of those at all.

22 BOARD MEMBER JOHNSON: Okay. So then based on
23 Exhibit H, it depicts some ring terminals connected to
24 the battery and the power inverter.

25 Who screwed those ring terminals down?



1 CHAIR JENKINS: Chair Jason Jenkins.

2 I don't believe that's in our packet.

3 BOARD MEMBER JOHNSON: Okay.

4 CHAIR JENKINS: So that's outside our scope.

5 BOARD MEMBER JOHNSON: Okay. So those --
6 would you -- I mean would you agree that those ring
7 terminals are not corded and plugged?

8 MR. KEEHNEL: Without seeing them --

9 CHAIR JENKINS: This is Jason, Chair. Give me
10 one second to consult that question with our counsel.

11 MR. BLOHOWIAK: So, Board Member Johnson,
12 you're -- you're kind of eliciting new testimony when
13 you're asking if he agrees or doesn't agree with your
14 question. It's a bit of a gray area, but I would
15 caution you to try and limit it to the facts that are
16 already a part of the record. You can certainly ask
17 for clarifications, but it -- it certainly -- it's -- I
18 would caution you against diving too far into eliciting
19 new testimony from the appealing party.

20 BOARD MEMBER JOHNSON: Okay. Then I'll -- I
21 mean you don't have to answer that, then. I'm just
22 trying to drill in so I can understand the components.

23 Then would it be -- if I refer to another exhibit,
24 if we looked at Exhibit D on page 330. I -- which that
25 shows all the equipment inside the enclosure. I



1 believe, if I'm correct, a lot of your testimony that
2 was already on the record was referencing the
3 cord-and-plug nature of the components, so specifically
4 the power Ethernet injector, the CR wireless 4G LTE
5 gateway as being cord-and-plug. But what I'm wondering
6 is, is this enclosure itself, which I see wire nuts in,
7 in one of the Exhibit Ds, and then the other Exhibit D,
8 I see bush and wired terminals, is that enclosure
9 itself listed from -- like, I don't -- did I miss any
10 -- did I miss anything? Is there any evidence in the
11 record that shows a listing on that full enclosure with
12 the plug?

13 MR. KEEHNEL: Are you asking me?

14 BOARD MEMBER JOHNSON: Yeah. Are you aware of
15 any -- was there any evidence in the record that shows
16 that there's a listing on that --

17 MR. KEEHNEL: The grade --

18 BOARD MEMBER JOHNSON: -- enclosure?

19 MR. KEEHNEL: -- the components. And that is
20 one of the components are -- were individually UL
21 listed components. And that is one of the components.
22 We did not -- this is a picture from the factory
23 showing the inside of there. We did not assemble those
24 wire nuts, anything with it. The cords shipped out of
25 the bottom of that. And those were plugged into the



1 other camera system itself. So none of that inside of
2 there we didn't connect, hook up, plug in, do anything.
3 That was all a sealed unit. This is a picture from
4 EarthCam showing what's inside of the box.

5 BOARD MEMBER JOHNSON: Is there an item in
6 evidence that shows a listed sticker for that entire
7 enclosure?

8 MR. KEEHNEL: Not that I'm aware of. But the
9 State's brief on page 7, I think it's line 8, agreed
10 that each component was a UL listed component
11 individual component.

12 BOARD MEMBER JOHNSON: Thank you for answering
13 my questions.

14 CHAIR JENKINS: Chair Jenkins.

15 Do any other board members want to chime in here?

16 MS. BARCELONA: I'm sorry to interrupt. I
17 just wanted to add there was a reference to page 364
18 Exhibit M. That was not admitted by the judge.

19 MR. KEEHNEL: I'm sorry. May I --

20 CHAIR JENKINS: Can I get there, please.

21 So Assistant Attorney General Wendy, you made a
22 comment that it's not been admitted, that piece of
23 reference we're referencing?

24 MS. BARCELONA: Yes. That was excluded by the
25 judge. That was the image of the subsequent permit



1 sticker, I believe. And the judge excluded that as
2 irrelevant because it was for -- it was for the
3 electrical subcontractor, not for Joe Hall. So that
4 was a subsequent inspection.

5 CHAIR JENKINS: On that note --

6 MR. KEEHNEL: Wendy, I mean I don't mean to
7 dispute it, but I went back through the transcript and
8 everything with the judge, and this was all admitted
9 into evidence. It's in the record. And he said he was
10 going to hold ruling when you objected to it early on
11 in the administrative hearing. You objected to this on
12 that fact, and he told -- what I remember is he said
13 he's going to withhold ruling on excluding the
14 evidence, not that he excluded the evidence. I went
15 back through, trying to listen to the whole recording,
16 and the transcript, and there was no list of the
17 specific exclusions from the -- from the -- from the
18 judge that I could find. Now, if there is, maybe you
19 could explain them. But I still don't even see where
20 it's relevant at this point. It's not a legal battle
21 here. This is looking at what's presented and try and
22 make a fair ruling.

23 CHAIR JENKINS: Chair Jenkins.

24 I don't want this to be an argument.

25 So I'll move back to electrical members. Any other



1 members have any questions concerning this case?

2 Comments?

3 MR. BLOHOWIAK: Chair Jenkins, this is
4 Ben Blohowiak. Would you mind if I ask Ms. Barcelona a
5 quick follow-up question?

6 CHAIR JENKINS: The floor is yours.

7 MR. BLOHOWIAK: Thank you.

8 Ms. Barcelona, regarding the evidence that you said
9 was excluded, is it true that the judge did reserve
10 ruling on that? And if so, did he rule on that when he
11 issued his proposed decision and order?

12 MS. BARCELONA: I don't recall whether he
13 reserved ruling, but he did explicitly write in
14 footnote 2 on page 3 of his initial order that it was
15 excluded. He also includes the other exhibits that he
16 excluded.

17 MR. BLOHOWIAK: Thank you. I just wanted to
18 clarify that for the record.

19 Thank you, Chair.

20 CHAIR JENKINS: Thank you very much.

21 Well, if no other members want to chime up, I just
22 want to put my two cents in here.

23 This system is not a plug-and-play system. I think
24 my first thought is I thought, Oh, it's a camera
25 someone's plugging in. And then I went and looked at



1 the actual systems that's installed, we're talking
2 about solar -- multiple solar panels, multiple cables
3 coming down to plug into a battery system. For a
4 plug-and-play system to be set up, it's molded plug
5 single device. If I understand the intent of that
6 original exception was for, like, when you have a
7 range, they didn't want to have a permit pull -- that
8 you had to have a permit to plug a range in. But when
9 you're talking about a system that has multiple
10 components in order for it to operate, the molded plug
11 exception is strictly for that first unit. So had this
12 been just a simple camera plugged in the wall, yes,
13 you're right, that would be a plug-and-play device.
14 But this is a set of panels. There's wiring that goes
15 down the wall -- down the pole in this case here that's
16 plugged in. Yes, they're molded, but it's not a single
17 molded plug-and-play device. That's not the intent of
18 that particular section.

19 On top of that, my other question would be,
20 especially in a grounding and bonding system for a
21 solar panel system, was that done? That's a pretty --
22 that's an important thing as an electrician to make
23 sure things are grounded and bonded correctly. That's
24 not a plug-and-play device system, especially with
25 solar panels. So that's not a discussion. That's a



1 comment.

2 Do any other electrical -- electrical board members
3 have any comments?

4 BOARD MEMBER JOHNSON: Board Member Johnson.

5 So, I agree with you, Chair, 100 percent. I wanted
6 to note that I think it may be worthwhile to clarify
7 that when we look at each individual component, yes,
8 there are some corded and plugged components in there
9 that have the waiver. But I see components that are
10 not, also, intermixed. And so I think it's clarified
11 that the citations are holding true for all the solar
12 -- the photo of the intake solar system. All those
13 components do not appear to be exempt. And those would
14 be covered under the -- and then also I believe that
15 the EarthCam enclosure itself is not listed. So I
16 don't believe that is under an exemption. So I believe
17 the citations are valid for those items. And I think
18 it might be clear to note that that's what the
19 citations are for, those specific elements, and so
20 they're valid for those reasons.

21 CHAIR JENKINS: Thank you very much.

22 MR. KEEHNEL: Where do you get that it's not
23 UL listed? Where are you getting this? I guess I feel
24 like --

25 CHAIR JENKINS: Mr. -- sorry. Chief Wayne



1 Molesworth.

2 SECRETARY MOLESWORTH: I think that the
3 cord-and-plug exemption does not apply to telecom and
4 security systems. And so my question would be: Is
5 what's the purpose of the camera? What's the purpose
6 of the camera?

7 MR. KEEHNEL: It was just to be able to see
8 what was going on at the site, check in, check the
9 weather, check everything that's going on at the site.
10 It was just for us to use to see what was going on on
11 the site.

12 SECRETARY MOLESWORTH: So it does fall under
13 the classification of a telecom system that transports
14 data, video, and other information.

15 MR. KEEHNEL: Right. It's like --

16 SECRETARY MOLESWORTH: That doesn't have a
17 specific exemption for -- telecom does not have a
18 specific exemption for cord-and-plug. So that was my
19 comment.

20 Thank you, Chair.

21 MR. KEEHNEL: I still don't understand how you
22 can plug all this stuff in, a Ring camera.

23 BOARD MEMBER GRAY: Thank you, Mr. Chair.

24 And I appreciate that you're concerned about your
25 record. As a contractor that's important to me as



1 well. I appreciate all that.

2 Here's the problem. And I'm -- whether the camera
3 is excluded or not, I think is irrelevant. You
4 installed a power source that is covered under the
5 National Electrical Code and other rules on how that
6 has to be done. And so unless a person that's
7 knowledgeable of the NEC rules and that sort of thing
8 does that, then it would be something that would not be
9 adequate. If you install the wind turbine up there
10 that generated power, there wouldn't be any question
11 about whether or not it had to have a permit for that.
12 If you brought out a big generator onsite and used that
13 to go power something, it would require a permit and an
14 inspection to make sure that it's safe and compliant.
15 Because it's a solar panel, it appears that it's
16 benevolent -- or benign, that it's not something that
17 might create a hazard, but it is a power source. And
18 so any power source that is supplying equipment needs
19 to be inspected because there are rules that would
20 govern how that equipment is installed, how it's hooked
21 up, the conductors that go to it, all those things are
22 covered in the electrical installation rules. So even
23 though it's a very low voltage and perhaps would
24 require a reduced level of permit, it's no different
25 than any of those other power sources that most people

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1 would clearly understand would require some sort of
2 permit and an inspection that it's done safely. So
3 again, I -- I feel for you, I appreciate your concern,
4 but I think --

5 MR. KEEHNEL: So I can't take my portable
6 solar panels and my portable solar generator out and
7 set it up and plug it in without a permit? That's what
8 you guys are telling me? I have these at home. I have
9 them. I use them all the time. We go places, I set
10 them out, I plug in my generator. I gotta get a permit
11 to do that? These are the exact same solar --

12 BOARD MEMBER GRAY: You're doing it for
13 someone else, for the public, and this is about public
14 safety. So you're installing something.

15 MR. KEEHNEL: This is for our own use.

16 CHAIR JENKINS: It's not an argument.

17 MR. KEEHNEL: I just --

18 BOARD MEMBER GRAY: Thank you, Mr. Chair.

19 MR. KEEHNEL: It's a solar camera.

20 CHAIR JENKINS: Board Member James Tumelson.

21 BOARD MEMBER TUMELSON: Good morning. Board
22 Member Tumelson here. I just wanted to add when you're
23 talking about UL listed components, oftentimes there is
24 a disconnect between having multiple UL listed
25 components and having a UL listed assembly. And so I



1 think that is important to note that while you may have
2 UL listed solar panels, modules, you know, enclosure
3 you may not have a UL listed assembly, which is what we
4 would be looking for in the field as a regulatory
5 authority.

6 MR. KEEHNEL: Understood. But how do you know
7 this wasn't UL listed as assembly? Mr. Chavez
8 certainly didn't. Maybe it was all listed as UL
9 assembly.

10 CHAIR JENKINS: I'm going to stop. Is that in
11 the record?

12 MR. KEEHNEL: What's in the record?

13 CHAIR JENKINS: Is the UL listing --

14 MR. KEEHNEL: No, it's --

15 CHAIR JENKINS: Then --

16 MR. KEEHNEL: Mr. Chavez didn't -- I mean he
17 brought it up. I didn't. He said if it's -- if it was
18 multiple -- if this was listed as a UL assembly, then
19 it couldn't have been an issue. I wouldn't have gotten
20 cited. Is that what you're saying?

21 BOARD MEMBER TUMELSON: That's not what I was
22 saying. What I was saying is the component level is
23 different than the assembly level.

24 MR. KEEHNEL: I understand that.

25 CHAIR JENKINS: Okay. Secretary --



1 MS. BARCELONA: If I may --

2 CHAIR JENKINS: Secretary Molesworth first.
3 And then I can come back to you.

4 SECRETARY MOLESWORTH: So I think Mr. Tumelson
5 was just clarifying what that system looked like. But
6 it really is irrelevant in this particular instance.
7 If it was components or a listed piece of equipment,
8 none of it would have been able to be installed unless
9 they are licensed and certified. And this point, and
10 with the other point of the temporary generator set up
11 the temporary solar panel sets up, this is installed in
12 a permanent method and therefore part of the building
13 structure and would not fall under a temporary-type
14 installation. Thank you.

15 CHAIR JENKINS: Thank you.

16 And AAG Wendy Barcelona.

17 MS. BARCELONA: Yes. I agree with Chief
18 Molesworth that it's irrelevant. But just to satisfy
19 any curiosity from the board, Exhibit T, which is on
20 page 379, does -- or is the only document in the record
21 that discusses specific UL listings for a component.

22 CHAIR JENKINS: Thank you.
23 Board member Kerry Cox.

24 BOARD MEMBER COX: Sorry. I can't find
25 anywhere on my Zoom to raise my hand, so I gotta raise



1 my hand.

2 For the record there is plug-and-cord exemption for
3 telecommunications. Otherwise, every modular patch
4 connection that was made in a data closet would need to
5 be permitted and inspected. So I just want to make
6 that on the record that there is exemption for
7 plug-and-cord in telecommunications.

8 CHAIR JENKINS: Are there any other board
9 members who would like to speak up?

10 Board Member Gregory Johnson.

11 BOARD MEMBER JOHNSON: Yeah. I would like to
12 make a motion that we affirm the initial order by the
13 ALJ. I think there's adequate evidence that there was
14 quite a bit of violation and components that did not
15 meet an exemption.

16 CHAIR JENKINS: We have a --

17 BOARD MEMBER COX: Kerry Cox, board member,
18 will second that motion.

19 CHAIR JENKINS: We have a motion, we have a
20 second, to affirm the initial orders by the ALJ.

21 Are there any discussion?

22 Hearing none, all in favor signify by saying "aye."

23 (Chorus of ayes.)

24 CHAIR JENKINS: Any opposed?

25 (No response.)



1 CHAIR JENKINS: Hearing none, motion passes.

2 So thank you very much. The board has made a
3 decision.

4 Would you -- Assistant Attorney General Wendy
5 Barcelona, please get in contact with Philip Keehnel
6 and --

7 MR. KEEHNEL: Yeah, whatever.

8 CHAIR JENKINS: -- and make an agreement that
9 best reflects the decision of the board.

10 MS. BARCELONA: Will do. Thank you.

11 CHAIR JENKINS: Please advise if you do not
12 reach an agreement, this matter will automatically set
13 for presentment at the next regularly scheduled board
14 meeting. If an agreed order has not been received by
15 that date, the parties will be expected to file the
16 proposed order and appear and advise whether the
17 proposed order best reflects the board's decision.
18 Hopefully it's not necessary and that they're able to
19 make this decision before -- agreement before the next
20 meeting, please forward it to the secretary of board's
21 office, and they will ensure that they get signed
22 copies back to you.

23 Thank you very much for your time.

24 MR. KEEHNEL: Thank you. Appreciate it.

25 CHAIR JENKINS: At this point here, I think it



1 would be a good time to take a break. It is now 10:25.
2 Let's do, let's say, a ten-minute break and get back
3 here at 10:45.

4 (Brief break taken.)

5 CHAIR JENKINS: It is now 10:47, and I'd like
6 to bring the electrical board back to order. Thank you
7 very much.

8

9 FRESH LOOK RECONSIDERATION PROCESS UPDATE

10

11 CHAIR JENKINS: We're going to make a slight
12 change here. We're going to swap around one of our --
13 we're going to move on to Item Number 7, Fresh Look
14 Reconsideration Process Update with Senior Project
15 Manager Carissa Rodriguez and Deputy Assistant Director
16 Brian Hornback.

17 MR. HORNBACK: Thank you, Jason.

18 So, I'm Brian Hornback, deputy assistant director
19 for field services and public safety.

20 As most of you know, we started a project about a
21 year ago to give an opportunity to trainees to ask for
22 reconsideration when their hours have been denied. So
23 we want to provide an update that the board members
24 should have received a message just in the last -- in
25 this last month basically saying that we're stopping

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1 that process or should we -- we're adjusting the
2 change.

3 So the pilot project, we originally designed it
4 that we would take six months, gather data, how many
5 people requested reconsideration, how many overturns
6 did we have, what were the reasons, what lessons could
7 we learn. And I think we were all a little surprised
8 at really how few people availed themselves of that
9 process. So at the end of the six-month mark, we
10 didn't really have enough data to make a good decision
11 of should we commit a full-time resource to something
12 like a reconsideration officer, which Steve Reinmuth
13 and I have filled that role during this pilot project.
14 But what do we need to do that do that full time, what
15 else we would need to resource this, we just didn't
16 have the data. So we extended the project for a year
17 -- or out to a year, and we just wrapped that up.

18 So I'm going to give you a little bit of data
19 around what we learned and lessons learned and then
20 where we're going from here. So over the length of the
21 project --

22 CHAIR JENKINS: I have to pause you one
23 second.

24 MR. HORNBAC: Yes, sir.

25 CHAIR JENKINS: I forgot to ask. Is our court



1 reporter available?

2 THE COURT REPORTER: I am here.

3 CHAIR JENKINS: I'm sorry. I forgot to ask
4 before we started.

5 THE COURT REPORTER: No, that's okay. I'm on
6 the job.

7 CHAIR JENKINS: Okay. Thank you very much.

8 MR. HORNBACK: So let me give you a little bit
9 of data around -- around the reconsiderations that we
10 went through. Over the length of the project, we had
11 52 requests. So over the course of one year there were
12 52. Of those, 45 of them were initial -- the initial
13 denial was for untimely submittal of the hours. Five
14 were denied for missing or incorrect information in
15 their affidavits. And two were initially denied for
16 working without their trainee certificate.

17 In the reconsideration process, after we looked at
18 each of those, we overturned one request on the
19 untimely submittal, and that was -- they had
20 communicated with the Department in a couple of
21 different places, couple of different offices, and we
22 felt like the information they got wasn't consistent
23 enough around what fee do you have to pay, what -- you
24 know, when do you have to be done? We contributed to
25 the delay. So on that one we overturned that, and --

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1 and their hours -- I think -- I'm not sure -- I can't
2 tell you how many hours we added, but they did get a
3 considerable amount of hours, if not all of them,
4 granted to them.

5 So three of the additional reconsiderations were
6 sent back to the program. And, you know, sometimes the
7 trainee would submit additional information, something
8 we didn't get in the first place. And usually that was
9 the case where, you know, it's not a department error.
10 It was that we just didn't know because we didn't have
11 it. So we sent those back. And the program, once they
12 had all the information, was able to relook it and
13 grant hours. That's a -- to us a huge benefit to
14 recognize the impact that denied hours has on somebody.
15 So glad we're able to make that happen.

16 And then one more initial decision, the initial
17 decision was upheld on 48 of those. So 48 of the 52
18 had the -- the original decision stood. And that's --
19 I think that's important for us to recognize. One of
20 the things we wanted to know was how are we doing as a
21 team. I have complete confidence in the decisions that
22 are made by our staff. They do a fantastic job of
23 going through and making sure and write down the
24 details they've got it right. But again, recognizing
25 there were still -- there were still four changes to



1 that. There's also still -- just for what it's worth,
2 there's one still pending. We had done an initial
3 reconsideration meeting. We received a request from an
4 attorney to take a look at one more factor. And so
5 we've got a meeting to set for the end of this month to
6 do that one. And that should be the last -- the last
7 reconsideration in the process.

8 Couple of things we learned in the pilot project:
9 We could be more clear. And one of those things is the
10 rules are very clear that say that you have to submit
11 your hours by this point in time. Right? But what we
12 found was that at least a couple of people made the
13 argument Well, I didn't understand they were going to
14 be denied if I didn't submit them. So for clarity,
15 making some changes to the letter that they get, as
16 well as to the WAC that says not only your hours need
17 to be submitted by this time this date on the calendar,
18 if they are not submitted they will be denied, so
19 there's pretty much no question any more about what the
20 consequences of missing those dates are.

21 And again, it's -- this is -- the stakes are so
22 high. I can tell you I sat with a couple of people I
23 look at and I go -- one gentleman impressed me so much,
24 it's like if this is an interview I'd hire you. Right?
25 But you still missed the deadline by enough days to go,



1 bottom line, you missed it and I can -- I've got no
2 legal way to grant you those hours. And that's a
3 maddening thing.

4 So I think for -- for the industry one of the
5 things we hope to make sure happens is continued
6 outreach that employers are advising correctly, that
7 they not saying don't worry about submitting until you
8 got 4,000 hours. That doesn't work. We did have
9 outreach effort to employers who -- at least that the
10 trainee reported that's what they were told. And we
11 made sure we did outreach efforts to those employers
12 and said don't misadvise your trainee. There were a
13 couple of points where I think Steve had some where we
14 had additional conversations around one of the
15 apprentice programs about making sure that they were
16 advising properly. So the program has allowed us to do
17 some outreach, to make some corrections to our letters,
18 and corrections to the WACs -- or I shouldn't say
19 corrections -- adjustments to improve them.

20 And then the final piece of that is, is it's not
21 saying that there's still no opportunity for a trainee
22 to appeal. We're not doing the full-blown
23 reconsideration process, but if a trainee gets a denial
24 letter from us, we still have a process they can come
25 back to (indiscernible) program. And at some point we



1 may refer it for an audit to say, okay, can we do it
2 different? Can we get it better? So it's not a closed
3 slam the door and superior court is your only option at
4 this point. They get to the point where that's the
5 last option. But the idea is we want to make sure
6 we're still giving opportunity for that
7 reconsideration. We just won't have the formal project
8 around it. Again. Low use, number of resources
9 available, amount of time on our part, this seemed like
10 a more effective and smart way for us to go.

11 So I said a lot, didn't give Carissa any time at
12 all. I don't know if you have anything you want to
13 add.

14 MS. RODRIGUEZ: No. I think you covered it.

15 MR. HORNBAC: And happy to answer questions
16 if you have any.

17 CHAIR JENKINS: Any questions from the
18 electrical board?

19 Board Member Gregory Johnson.

20 BOARD MEMBER JOHNSON: I just wanted to
21 commend you on trying to do such a good job of
22 improving the process. And I think this -- I don't
23 know if you -- I was not aware if you started this
24 process before the executive order 2503, but I think
25 this completely meets that intent of improving the



1 licensing process. So thank you for all of your hard
2 work.

3 MR. HORNBACK: Thank you. And, yes, the
4 process was started, we actually had enough
5 back-and-forth with a trainee. And this also works in
6 our plumbing program. And so between that and our
7 director -- I gotta give a lot of credit to Joel Sacks,
8 Steve Reinmuth, Wayne Molesworth for looking at it and
9 going how do we do it better. There was so much swirl
10 around at least one of them who said that's how I do it
11 better, and it was before the executive order. But
12 thank you for the acknowledgment of the effort. I
13 appreciate it.

14 CHAIR JENKINS: Thank you very much.

15 Electrical Board Member Byron Allen.

16 BOARD MEMBER ALLEN: Yes. This is Board
17 Member Allen. I too want to echo the congratulations
18 on this. I sit on an apprenticeship board for the high
19 voltage industry that has apprentices throughout the
20 northwest, over 450 apprentices, and I understand the
21 need for the consistent -- consistent approach. And I
22 applaud the consistent approach that you're taking on
23 this. I also have sat there and listened to appeals
24 that, like you said, I'd hire you on the spot, but at
25 the same time consistency is always important in this.



1 And I think it's something that we can stand on. So
2 again, I just want to offer my congratulations. I
3 think you're doing a great job. And it's for a very
4 worthwhile cause.

5 MR. HORNBACK: Thank you. I appreciate that.

6 And I was remiss a minute ago. Jen Dietrich had
7 put in just an incredible amount of time, effort, hours
8 in this and has been really key to a lot of the success
9 we've done.

10 CHAIR JENKINS: Thank you very much.

11 Board Member Erick Lee.

12 BOARD MEMBER LEE: Hi, everybody. Board Lee.

13 Yeah. Thanks for your work on this. And I'm
14 curious if the apprenticeship only credit hours have
15 become an issue. If you've seen that, has anyone
16 appealed that? Has an employer not been registered in
17 an apprenticeship and a trainee has tried to get hours
18 credit? Has that become a thing yet?

19 MR. HORNBACK: I will tell you no, not that
20 I'm aware of. But in terms of becoming a thing, I
21 don't -- again, Steve Reinmuth and I split the
22 reconsideration. So we talked about it frequently, and
23 I don't think for either one of us it came up to where
24 an apprentice trainee was appealing. And I don't think
25 there's anyone who was really missed. So I guess the



1 short answer is no, and you got a little detail with
2 it.

3 BOARD MEMBER LEE: Okay. Thank you.

4 CHAIR JENKINS: Thank you much.

5 Secretary Wayne Molesworth.

6 SECRETARY MOLESWORTH: Well, I just -- I just
7 wanted to chime in and let you know that I was a little
8 skeptical at first about this process, but it has
9 turned into something that we could look at and
10 actually determine what could we do better, both on the
11 side of the trainee and the apprentice, to give them
12 the benefit of the doubt for that look, and also from a
13 compliance standpoint if things aren't going just
14 right. Right? We had a compliance component that we
15 didn't expect to have. But when people wanted us to
16 reconsider, we would do an audit, and we actually found
17 compliance issues with some of the contractors. And so
18 it helped to bring them into alignment as well. So
19 there was a lot of unexpected outcomes from it. And I
20 got to enjoy it. It was a lot of work for Jen
21 Dietrich. She did a lot of work on, and -- and we talk
22 quite often.

23 The other part of this is the consistency point of
24 view. And I appreciate the comments about consistency
25 because the 180-day rule is, I think, when they're late



1 is a little misunderstood. It's -- it's -- they're
2 180-days late according to the RCW to begin with. And
3 the RCW sets that standard is that they should be
4 submitting their hours as part of the renewal process
5 for their trainee certificate. And so when we put in
6 WAC an exception for a cushion of 180 days, that was to
7 help trainees. And 180 days is a half a year. You
8 know, when we put it that way, you know, you get to
9 understand a little bit more about what it is. So we
10 have to make sure that we are keeping a level playing
11 field, that we are treating everybody with the same,
12 you know, allowances and giving them that opportunity,
13 if they needed to, to have a reconsideration. And I
14 appreciated a lot of the outcomes and -- and the
15 acknowledgment that our staff do a great job of making
16 those decisions. But there are some things that we
17 pulled from that that went, Ooh, maybe we should be
18 looking at this. Right? And so it's made us think a
19 lot about different things that will keep that playing
20 field a lot more level going forward in the future. So
21 I just wanted to add those two things and let you know
22 the chief is always -- or not always, but can sometimes
23 be wrong in objecting to different things. And this
24 was one of those times where I appreciated the outcome.
25 So thank you.



1 CHAIR JENKINS: Thank you very much.

2 Are there any other electrical board members who
3 would like to add in questions.

4 (No response.)

5 CHAIR JENKINS: All right. Thank you very
6 much.

7

8 CERTIFICATION/CEU QUARTERLY REPORT, LARRY VANCE

9

10 CHAIR JENKINS: All right. So we're going to
11 move on to Item Number 4, which is our
12 Certification/CEU Quarterly report with Larry Vance.

13 Are you available?

14 MR. VANCE: I am. Good -- it's still morning.
15 Good morning, Chairman Jenkins, board members. My name
16 is Larry Vance. I'm a technical specialist for the
17 Department of Labor and Industries Electrical Program,
18 and I report to Chief Electrical Inspector Wayne
19 Molesworth.

20 I don't have a lot for you regarding the CEUs or
21 exams today. I can tell you that I provided the board
22 with a report concerning examinations by test center,
23 and that what that does is it just shows that our exams
24 are being utilized at testing locations throughout the
25 United States. That's one of the -- one of the

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1 benefits we have with our current vendor is that
2 availability across the United States where people can
3 get certified before even coming to our state.

4 The -- the statistics summary by attempts, that's a
5 report that shows for each exam type how many -- how
6 many first-time attempts and sequential -- or
7 subsequent attempts candidates are making, that
8 report's got a bug in it for the last three months. I
9 can run the same report that I provided for the last
10 board meeting currently. I'm not able to run that
11 report for this board meeting. And I'm working with
12 PSI to resolve that anomaly in there.

13 I don't see any -- or I don't hear of any changes
14 to any pass rates. The pass rate for the 01 general
15 electrician exam is still just over 50 percent, and a
16 lot of that is about preparation. We have done some
17 things with our exam page on our website, and we've
18 kind of explained the examination a little bit more,
19 and it's just letting people know that it's an
20 open-book examination. It's not an examination about
21 what you've memorized. It's an examination that shows
22 that you can -- you can reference information to answer
23 questions. And we also alert people as to what to
24 bring. And that's something that I don't know that
25 we've advertised so much in the past. We just thought



1 that people would know that. You know, it's an
2 open-book exam. So in addition to your code book, you
3 know, you can bring in the laws and rules. That's the
4 RCW and the WAC. You can bring in a keyword index to
5 the National Electric Code. You can bring in an
6 electrical theory book of any of your choosing. Also,
7 pocketbook guides are good as well. So we provided
8 that information without any -- without any mention of
9 particular, you know, authors, so to speak, so that
10 we're not steering them exactly to something. But they
11 should be able to -- any web search would show, like,
12 oh, this. That's -- you know. And people that are
13 familiar with the industry already know what those are.
14 But it helps people from out of state. It helps people
15 that -- electrical administrator candidates, for
16 instance. You know, what is this exam about? Is it
17 about memorizing? No. There's too much to memorize.
18 So there's -- that's something that we found that
19 people are replying back to us when we provide that.
20 In an email, they say "We really appreciate that." So
21 we're getting good feedback about that because the exam
22 is not about -- it's not a memorization exercise. So
23 we just want people to know that.

24 The other item is that -- I think Chief Secretary
25 Molesworth mentioned the last meeting that -- that we



1 are putting out an RFP for an exam vendor. It's just
2 something that we're doing because we've been with this
3 exam vendor now for, I believe, around ten years. And
4 the way it works with contracts is is that nobody --
5 everybody has to compete for the contract every ten
6 years or so. I don't know the exact requirements
7 around that, but that's the reason we're putting it
8 out. And we look forward to getting some responses to
9 that. We haven't done it yet. But we're getting close
10 to that point. So more to come on that. With that,
11 that's what I have for you today.

12 CHAIR JENKINS: Thank you very much.
13 Appreciate that.

14 Are there any questions, comments from the
15 electrical board?

16 Yes, Bobby -- I'm sorry. Board Member Bobby Gray.

17 BOARD MEMBER GRAY: Thank you, Mr. Chair.

18 Larry, as NFPA in particular is migrating more and
19 more to online services, at some point I see in the
20 future -- fortunately for you and me, we won't have to
21 deal with it. But younger folks are going to have to
22 see a time, perhaps, when we don't have, you know,
23 paper documents anymore to refer to. Are we
24 anticipating that? Are our vendors anticipating a time
25 when, perhaps, they're going to have to provide the



1 NEC, for example, online for folks taking the test?
2 And I know there's software available to be able to do
3 that in isolation so we wouldn't have to worry about
4 whether they go off and get other information online.
5 They could just look at the document or the information
6 specifically there when they're taking the test. So
7 has there been any thought into how we prepare for that
8 future?

9 MR. VANCE: Not -- not at this point because
10 the -- there are virtual exam platforms, but they're
11 essentially set up to when all information is in the
12 line of sight between your eyes and the screen and your
13 camera. And what we have is we have a format where
14 people are -- they're looking away. They're -- you
15 know, they're maybe paging through or whatever they're
16 doing, so they're doing this. All of those things are
17 things that, essentially, if you allow them, they
18 defeat the security of an online exam because they're
19 looking at your eyes, they're listening, they're doing
20 all these things. So right now at this point
21 technology is not necessarily suited for the -- the
22 future that you're talking about. I mean if it -- if
23 we get in a situation where all of the reference
24 material is contained and their examination questions
25 are contained within -- you know, that are going to be



1 looking at one screen, then you're still looking at a
2 platform where you've got one proctor who might be
3 proctoring 50 tests at one time, and they're -- you
4 know, they're looking for some sort of AI alert that
5 somebody is distracted or talking or something. It's a
6 new frontier, and we're certainly open to learning more
7 about it. But at this point, what we've learned about
8 it doesn't give us a lot of confidence in it for our
9 purposes.

10 We just had yesterday a person, you know, they
11 requested a paper-pencil exam because they don't like
12 computers. We still have resistance to computers out
13 there. So I totally understand your question. Lorin
14 and Randy will probably be around for that. They may
15 be able to speak to it. And I'm talking about my
16 cohorts Lorin Lathrop and Randy Barnes. They may be
17 around for that. But I see your point and it is
18 coming.

19 CHAIR JENKINS: Thank you.

20 Are there any other questions?

21 Looks like we have Board Member Gregory Johnson.

22 BOARD MEMBER JOHNSON: Yeah. Just drawing a
23 parallel. So the engineering board, Board of Engineers
24 and Land Surveyors in our state, they do have --
25 they've switched to online testing, but you have to go



1 to the Pearson VUE Testing Center, just as a data point.
2 That occurred long after I got licensed, so I was only
3 experienced with pen-and-paper exams. But I mean if --
4 if there was ever interest, that would be one person to
5 collaborate and look through on how they do it. I mean
6 they have their code line. It's proctored. But from
7 anecdotally, from engineers that I've talked to, people
8 have a -- they prefer it and they wish it was pen and
9 paper. So people have a tendency -- just kind of like
10 matching what was noted here was people like the pen
11 and paper a lot better. So if that were to ever come
12 to pass, I mean, you'd be trading off what applicants
13 prefer versus what's efficient.

14 MR. VANCE: Yes. Yes, absolutely. Our exam
15 is an electronic platform, and you do have to -- you do
16 have to be in person at a testing location with a live
17 in-person proctor. So I don't know if we -- if we went
18 another step, and let's say it was still in person, and
19 it was still a live proctor, and then you put all --
20 you didn't allow them to bring anything in, what you
21 allowed was what you provided, a code, maybe keyword --
22 well, you wouldn't even need the keyword -- with the
23 code you'd have a keyword search, typically. With the
24 WAC and RCW, you could possibly -- you could have a
25 keyword search as well if it was a PDF. Then you're



1 getting into a leap in technology that may disadvantage
2 some because they're not literate in how to keyword
3 search electronic documents, use of a computer. We're
4 still in that era where not everyone has the same level
5 of mastery of how to use a computer and how to
6 manipulate electronic documents. So it's coming. It's
7 coming.

8 BOARD MEMBER JOHNSON: Just to add on, though,
9 one of the -- usually they disable the keyword search
10 in the test. And so that is one of the biggest
11 complaints that people have because it's much easier to
12 flip through a physical paper book than it is to do the
13 search -- or try to navigate through the online PDF
14 that they've kind of crippled a little bit. So there's
15 tradeoffs.

16 MR. VANCE: Yeah. It's odd that they would do
17 that because isn't -- I mean in the spirit of things,
18 isn't it the ability to access the information that
19 you're testing. You're not testing their memorization.
20 So it is, it's just a real different viewpoint on --
21 there's a lot of viewpoints on what is -- what is the
22 purpose of an examination. Right? Is it -- is it
23 memory? That would be closed-book exam. Then you get
24 an open-book exam, and, gosh, you can't word search,
25 but you could -- like, forever we've allowed a keyword



1 index. There's several of them out there. They're
2 just a keyword index to the National Electric Code.
3 And they -- I used them in my exams. I think they're
4 very helpful. But there's a lot of viewpoints on
5 examinations, that's for sure.

6 CHAIR JENKINS: Thank you.

7 Board James Tumelson.

8 BOARD MEMBER TUMELSON: Good morning still.
9 Board Member Tumelson.

10 I just wanted to add, Larry, I know that the
11 International Code Council did go to an online
12 platform. I think it's ProctorU. Interestingly, you
13 know, there's a lot of kind of opposition to that step.
14 But then there's a lot of people that are kind of
15 remote that took advantage of it. More recently
16 they've switched to having some of their format
17 available as an additional resource electronically.
18 And I've heard -- I haven't seen it myself, but I've
19 heard that they allow the keyword search to the
20 chapter. So you'd actually have to know the chapter to
21 go to before you keyword search. And so there's a lot
22 of folks trying to, you know, utilize the technologies
23 that we do have to, you know, help enable. But like
24 you say, there's people that are going to be challenged
25 regardless of the decision.



1 MR. VANCE: Yeah. We're just trying not to
2 put up any barriers. And it's at this point people are
3 really comfortable with the paper reference material.
4 That seems to be where that highest level of comfort
5 is. So a transition to something totally electronic
6 will be sometime -- as Board Member Gray said, sometime
7 beyond Board Member Gray and I. So it is -- I believe
8 my personal opinion it's coming, but I have no idea
9 when.

10 CHAIR JENKINS: Board Member Gray.

11 BOARD MEMBER GRAY: Thank you, Mr. Chair.

12 Yeah, I don't want to belong this. But my concern,
13 perhaps James' is well, is the fact that many of the
14 publishing organizations -- and of course our primary
15 source is the NFPA -- they are finding that people are
16 not requesting hard copies of the codes and standards.
17 And so that puts them in a position of where -- that's
18 where their revenue comes from is the sales of those
19 documents they publish. And so they're looking for
20 ways that they can generate revenue and stay in
21 business as an alternative to the hard copies of the
22 codes and standards. And so they are looking more and
23 more to find ways. They tried the PDF, and of course
24 what they found there that it was pirated so much that
25 they were losing money on it.



1 The other thing is keeping previous editions in
2 print. In the case of the NFPA -- I mean the NEC,
3 every state and U.S. territory uses some edition of the
4 National Electrical Code as their state rules for
5 installing electrical equipment. But many of them go
6 as far as back as 2005, 2008. That's a huge resource
7 drain to be able to keep those things in print. So an
8 easy way to do that, make it available to those states,
9 which they're required, they're obligated to provide
10 the law that they mandate, is to do it online and have
11 it available. So part of the concern, I would think,
12 is not -- not necessarily the way we take exams, but
13 the available resources that we have in order to use
14 the -- use those resources, as you said, to keep it
15 from being a memorization exam and more of a resource
16 where you're able to find the information you need in
17 order to do that. So that's kind of -- that's kind of
18 where I'm at. You think about it being, you know,
19 actively involved in the NFPA process, I understand
20 their challenges going forward on it. So that's the
21 reason I brought it up. So thank you for that.

22 CHAIR JENKINS: Thank you very much.

23 Are there any other questions or comments?

24 (No response.)

25 CHAIR JENKINS: Do you have anything else



1 there, Larry?

2 MR. VANCE: I do not. Thank you, everyone.

3 CHAIR JENKINS: Thank you very much for your
4 time. I appreciate that. Thank you, again.

5 MR. VANCE: Thank you.

6

7 RULEMAKING UPDATE

8

9 CHAIR JENKINS: So it looks like we're now on
10 Number 4 here for rulemaking update. And I believe it
11 is under Technical Specialist Randy Barnes; is that
12 correct?

13 MR. BARNES: That's correct. Good morning,
14 Chairman Jenkins, board. Thank you for your time this
15 morning. My name is Randy Barnes. I'm a tech
16 specialist for Chief Molesworth, and I would like to
17 provide you with three updates this morning. The first
18 one being current rulemaking, the second item being
19 proposed rulemaking, and the last one Legislative items
20 that have passed that will affect RCW 19.28.

21 We started a rulemaking process for a fee increase
22 6.41 percent. That rulemaking is complete now and will
23 go into effect on July 1, 2025. That rate was set by
24 the OFM and is the approved fiscal growth factor.
25 Sections that will be affected by that are: WAC



1 296-46B-906, inspection fees; 909, licensing and
2 certification; and 911, which is the testing labs,
3 engineering, and accreditation fees.

4 Are there any questions on that? We'll take those,
5 and then I'll move on to the next one.

6 CHAIR JENKINS: This is Chair Jenkins again.
7 Could you give me that date that it will become
8 effective again? I missed that.

9 MR. BARNES: July 1, 2025. Sorry. Running
10 through this a little fast.

11 CHAIR JENKINS: Taking notes for myself.
12 Thank you.

13 Any other questions, comments, questions from the
14 board?

15 (No response.)

16 CHAIR JENKINS: All right. Go ahead and
17 continue.

18
19 SUBJECT OF POSSIBLE RULEMAKING: ELECTRICAL RULES

20
21 MR. BARNES: All right. Agenda Item 6, then,
22 proposed rulemaking that we would like to openly have
23 three sections we'd like to open in one rulemaking.

24 The first would affect WAC 296-46B-010, and that
25 would be the establishing a date to adopt the 2026 NEC.



1 The purpose of this would be to signal our intent to
2 the industry to adopt the code on December 31st of
3 2026. This would give the industry a year, a little
4 over a year, actually, to review the new code, see how
5 it's going to affect them, prepare, and possibly create
6 tact proposals.

7 The second item we'd like to open is WAC
8 296-46B-334. This has to do with NM cable,
9 specifically NMB and NMC. The proposal we'd like to do
10 is we'd like to amend the temperature rating column
11 from the 60-degree column to the 75-degree column for
12 Number 8 and above. The idea behind this would be
13 similar to SE cable. NMB and NMC is now required to be
14 manufactured to a 90-degree celsius standard. It's not
15 like the old NM prior cables that were, you know, 60
16 degrees celsius stable. So again, this would only be
17 Number 8 and above. This would not affect or get rid
18 of the D rating factors for NM cable for temperature,
19 conductor in contact with insulation or bundling. So
20 this is strictly to adjust NM cable, NMB and NMC,
21 again, for -- I don't know. I guess to make it similar
22 to SE cable because of the current manufacturing
23 standard. And if we were to look at the history of the
24 old NM cable again, it was manufactured to 60 degree,
25 and the issues we had, were -- you know, historically



1 speaking was that the NM cable for branch circuits is
2 where we had problems with overloaded circuits, 14
3 gauge, 12 gauge, possibly 10 gauge in attics.
4 Incandescent lighting, it's almost completely gone.
5 These sort of things. So that's the thinking behind
6 the 334 proposal.

7 The last item is the items that you just heard from
8 Carissa and Brian. The FLR project, Brian kind of
9 touched on that there are some individuals out there
10 that may not feel like the 180-day requirement and
11 the -- I guess the consequence of not getting your
12 hours submitted on time, what those consequences are.
13 So we would open 296-46B-942, that's 8(d), and we would
14 provide clarification in the language of that 180-day
15 requirement and also the consequences of not getting
16 those hours turned in.

17 CHAIR JENKINS: All right. Any --

18 MR. BARNES: Those are the three sections --
19 yeah, please.

20 CHAIR JENKINS: Sorry. I didn't mean to
21 interrupt you. It's the delay thing, I guess.

22 Is there any questions from the board. I have one
23 here from Board Member Bobby Gray.

24 BOARD MEMBER GRAY: Thank you, Mr. Chair.

25 You know, Randy, in regards to item (b) for NM



1 cable, you may want to check on that. I believe NMC is
2 going to be removed from the next edition of the code.

3 MR. BARNES: Yeah.

4 BOARD MEMBER GRAY: So you're aware of that?

5 MR. BARNES: Yeah.

6 BOARD MEMBER GRAY: Because no manufacturer
7 made it, as I understood, and so it was taken out. So
8 just -- just want to bring that to your attention.

9 MR. BARNES: You are correct.

10 The problem is I think that there may -- you know,
11 we still have stuff rolling around out there that may
12 exist still. I doubt it. I can -- to be honest with
13 you, I cannot recall the last time I've seen any.

14 CHAIR JENKINS: All right. Any --

15 MR. BARNES: But thank you for the points.
16 Duly noted.

17 CHAIR JENKINS: Any other questions from the
18 electrical board?

19 Board Member James Tumelson.

20 BOARD MEMBER TUMELSON: Good morning. Board
21 Member Tumelson.

22 Randy, good to see you this morning virtually.

23 I didn't -- was there any update or were you guys
24 tracking that Senate Bill 5265, the expansion of
25 requirements for electrical inspectors for out-of-state



1 experience? Was that --

2 MR. BARNES: That's the third item. Sorry.

3 BOARD MEMBER TUMELSON: Oh, sorry. My bad.

4 MR. BARNES: Nope. That's the third item.

5 It's not really on the agenda, but we'd like to tack it
6 on with Chairman Jenkins' permission to give you
7 updates on that if we're done with questions on the
8 proposed rulemaking. The proposed rulemaking will be
9 submitted this month.

10 CHAIR JENKINS: Absolutely, you're always
11 welcome to do that.

12 MR. BARNES: So, yeah, James, going back to
13 your question, we had two items that passed
14 legislation -- one's sitting on the governor's desk.
15 The other one has already been signed by the
16 governor -- that will affect 1928. The first one is
17 5528. This is an EVITP bill. This is -- EVITP stands
18 for electric vehicle infrastructure training program.
19 This would require that anybody that is installing
20 electrical vehicle charging equipment on a public works
21 project has an EVITP certification in addition to the
22 electrical certification required in Washington State.
23 This would not be required for trainees as long as they
24 are working under the supervision of a journey level
25 individual that has that certification. Again, this



1 would only -- this would only be electric vehicle --
2 electric vehicle charging equipment, and again public
3 works projects.

4 The second item is the one that you just talked
5 about, James, 5265, and this expands the acceptable
6 inspector qualifications to reciprocal states. So we
7 would accept a journey level certification from a
8 reciprocal state with the same requirements that we
9 have in Washington State for four years to qualify as
10 an electrical inspector.

11 CHAIR JENKINS: All right. Any other
12 questions from the board?

13 (No response.)

14 CHAIR JENKINS: I have one that's kind of
15 really off left field. Not really, but it is. I have
16 been following -- and I haven't been able to follow it
17 recently, but House Bill 1681 sound familiar to you,
18 concerning the HVAC expansion of scope? Have we got
19 any information on that, what's going on with that,
20 where it's at?

21 MR. BARNES: It's parked at the moment. But,
22 you know, this is -- this is the first of legis
23 sessions, so parked now doesn't mean it's dead next
24 session.

25 CHAIR JENKINS: I was just curious if there



1 was any more information on that.

2 Board Member Byron Allen.

3 BOARD MEMBER ALLEN: Thank you. Yes. Board
4 Member Allen here.

5 I want to go back to the EVIT. And excuse my
6 ignorance here, but I'm not sure what that is, and if
7 you could maybe tell me what the requirements are to
8 have that certification.

9 MR. BARNES: Yeah. So EVITP, electric vehicle
10 infrastructure training program, is a national program
11 that was created for -- strictly for electric vehicle
12 infrastructure. And the entity out there provides
13 training and certification for this program.
14 Essentially, you take -- you take a course. I don't
15 remember exactly how many hours, 24 hours. And then
16 there's also an additional renewal -- right? -- just
17 like CEUs that you would keep your certification
18 active. Essentially, it's training the people on the
19 current electric vehicle infrastructure, load
20 calculations, installation techniques, and the current
21 technology.

22 BOARD MEMBER ALLEN: Thanks. I've got a
23 follow-up question on that there. Do you know if there
24 are any minimum qualifications that an individual has
25 to have in order to take that course and get that



1 certification?

2 MR. BARNES: Yeah. Yeah. Currently that
3 requirement -- so that requirement is decided by EVITP
4 program -- right? -- who can take their course. That
5 course, though, if you look at 5528, if you guys want
6 to take a little in-depth study on this, please don't
7 quote me on it completely. But 5528 would say
8 something along the lines of a journey level
9 certification, and it has to be available to anybody
10 with that certification in Washington State. Yeah,
11 currently EVITP is the only certification, only program
12 out there. The legislation or the law that was passed
13 actually also says or similar recognized -- other
14 similar nationally recognized program. Currently there
15 isn't one.

16 BOARD MEMBER ALLEN: Thank you for the
17 information. I appreciate that.

18 CHAIR JENKINS: Yes, Board Member Gregory
19 Johnson.

20 BOARD MEMBER JOHNSON: So I too am not very
21 familiar with -- or not familiar at all with the EVTIP
22 [sic]. How do -- does that have training or things
23 that differ from the requirements in Article 625 of the
24 National Electric Code? Or is that like -- or is it
25 just how to apply that article? Or is it maintaining



1 the actual chargers' internal wiring or . . .

2 MR. BARNES: This would focus specifically on
3 installing the equipment. The law doesn't -- the law
4 doesn't talk about the installation of the wire, cable,
5 the wiring methods, getting to the equipment. It only
6 addresses the equipment. In terms of what does EVITP
7 encompass, I haven't taken the course. Their stuff is
8 online that's available for people to take a look at.
9 Yes, it focuses on 625, but it also focuses on things
10 like current technology, products that are out there,
11 load calculations that may come into play, how do we
12 master slave, if we can use those terms -- sorry --
13 products, you know, where we -- you may have one feeder
14 to one unit, but we also need to figure out how to do
15 emergency management or load control systems.

16 CHAIR JENKINS: Board Member Kerry Cox.

17 BOARD MEMBER COX: Randy, is any of this going
18 to apply to residential EV charging?

19 MR. BARNES: No. The verbiage is specifically
20 for public works. So unless you had a residential
21 setting that was a public works project, which
22 theoretically could happen, but for one- and two-family
23 dwellings, multifamily dwellings that public nature,
24 the language is specific to public works. Initially it
25 said something along the lines of state funded. That

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1 was modified because that term was very nebulous. It
2 was too wide open. Like, what all encompasses state
3 funding. So they shifted the verbiage public works,
4 which is a defined term, I think, in 32.

5 BOARD MEMBER COX: Because what I was thinking
6 of is -- because you mentioned, you know, the EVITP
7 would require journey level certification. And so my
8 question would be is it restricted to any 07 certified?
9 Isn't that the residential specialty? So that's my
10 only concern is that are we restricting something to
11 only to 01s, or is there opportunity out there for the
12 specialties in the residential? You know, because like
13 you said, it may be farfetched, but it could happen
14 that you have a family that falls under public works
15 project.

16 MR. BARNES: This is an excellent question. I
17 don't have an answer currently for how that's going to
18 play out. But this is good forward thinking in my
19 opinion because we have 07 that could be doing
20 maintenance on a public works, and they could be
21 maintaining or repairing one of these items. So that
22 is a very real question that we'll definitely -- I
23 would like to reserve the right to maybe get back to
24 you on the next board meeting after this is signed and
25 we have a little bit of time to, you know, kind of hash



1 out how is this going to play out, if that works for
2 you.

3 BOARD MEMBER COX: I didn't want to just get
4 us in tunnel vision because we --

5 MR. BARNES: Yeah.

6 BOARD MEMBER COX: -- we're on this path, and
7 then we forget. What's out of sight, out of mind. So
8 you can get back to me on that. Thank you, Randy.

9 MR. BARNES: Yeah.

10 CHAIR JENKINS: Thank you very much.

11 Board Member Byron Allen.

12 BOARD MEMBER ALLEN: Yes. Board Member Allen
13 here.

14 Thanks, Randy, for all this information. I want to
15 go back. I probably heard it, you probably said it,
16 but I'm old and I forgot it. So what was the bill
17 number on this that's putting this into play?

18 MR. BARNES: Yes. This is 5528 is the EVITP
19 bill.

20 BOARD MEMBER ALLEN: Thank you. That's it.
21 Thank you very much. Appreciate it.

22 CHAIR JENKINS: Any other electrical board
23 members have any questions?

24 (No response.)

25 CHAIR JENKINS: Seeing no one, thank very



1 much.

2 MR. BARNES: Thank you for your time.

3 CHAIR JENKINS: Thank you. All right. So
4 anybody have any request to take a break, or are we all
5 good to go? Looking for a consensus, kind of.

6 Not hearing any comments, I guess we can continue
7 on. So we're on Item Number 8 for the secretary's
8 report. So Chief Electrical Inspector Wayne
9 Molesworth, are you available?

10

11 SECRETARY'S REPORT, WAYNE MOLESWORTH

12

13 SECRETARY MOLESWORTH: I am, Mr. Chairman, if
14 I can get my camera to work. There we go. Thank you,
15 Mr. Chairman and board.

16 I will read the secretary's report into -- into the
17 record. I have a little bit of a hard time reading
18 what's on the screen, so I'm going to go ahead and I'll
19 be looking away from the camera slightly.

20 First item on the report is the budget. Financial
21 reporting difficulty is still being resolved with
22 revenue. We are hoping to report accurate numbers
23 soon. So there has been some difficulty with getting
24 accurate numbers. They found some mistakes that they
25 made in reporting revenue, and they've been making

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1 those adjustments. We don't have complete accurate
2 information. So instead of giving you an approximate,
3 what I will say is I'm fairly confident that the fund
4 is in good shape. We don't really have anything to
5 worry about. But what level it will be at come the end
6 of June, we'll have to hopefully reserve for the July
7 meeting, at this point anyway.

8 March 2025 customer service, we had 41,607 permits
9 were sold last quarter. 98.7 percent or 41,067 were
10 processed online, which is an increase of .3 percent
11 from last quarter. 99.7 percent of contractor permits
12 were sold online, which is a decrease of .1 percent
13 from the previous quarter. Homeowners' online sales
14 from this quarter is 84.8 percent, which is a .8
15 percent increase from the previous quarter. Online
16 inspection requests is 76.2 percent, which is a 2
17 percent increase from last quarter. During this
18 quarter customers made 91.2 percent of all electrical
19 license renewals online, which is a 2.5 percent
20 increase from last quarter.

21 Any questions about that section?

22 (No response.)

23 SECRETARY MOLESWORTH: Now we'll move on to
24 performance measures. Percentage of inspections
25 performed within 24 hours of request, same time period



1 in 2024, it was 79 percent, and currently we're at 82
2 percent.

3 Percent of inspections performed within 48 hours of
4 request, the goal is 94 percent. In FY24 was 90
5 percent, and currently we're at 93 percent.

6 Total inspections performed, there were 61,362 in
7 the period in 2024, and 60,882 currently.

8 Virtual electrical inspections performed in 2024,
9 there was 10,830. Currently in 2025 we have 11,505 for
10 the same timeframe.

11 Number of focused violation and warnings -
12 contractor licensing, worker certification, no permit,
13 failing to supervise trainees, in 2024 the field did
14 263. Currently they're at 116 processed. And I'll
15 explain why we put processed in here in a second.
16 E-CORE/audit citations, there were 1,085 this last year
17 in 2024 and a total 1,348. Currently in 2025 they had
18 852 citations awaiting processing other than the
19 116,000 that we've already processed. So that would be
20 a total just over 960. So a little bit lower. What
21 we've got here is a little problem in our citations
22 department of some of the hold on positions and hiring.
23 The board is -- or the electrical program has had to
24 hold off on hiring citation desk staff. The citations
25 you see processed here are done by Jen Dietrich. And



1 because of that, and because she has additional work --
2 also Amber Bac, who is the supervisor for licensing, is
3 also processing these citations. Both of them have
4 other duties as well. This is not one of their normal
5 duties. And so they're working outside of their normal
6 scope of their job in order to accomplish this.
7 They're doing a good job. We've got a couple of other
8 things still in process, as I said last time, for
9 bringing in more help to work on this situation. I
10 think management understands how serious it is. And we
11 have been given permission to recruit for those
12 positions now in citations as well as trying to work
13 out a service level agreement to get help from another
14 part of the program to come in and actually help
15 process those citations. So the numbers are a little
16 weak. Hopefully in July you'll see a definite increase
17 in what that looks like.

18 So Number 6, inspection stops per inspector per day
19 workload indicators, there were 10.9 last year, and
20 11.2 in 2025.

21 Serious electrical corrections that would result in
22 disconnect, in 2024 it was 8,573, and in 2025 it's
23 7,750.

24 Turnaround time for average plan set reviewed, the
25 goal is 1.6 weeks. We know that we need to change that



1 goal because last year in 2024 we had -- it was one
2 day. And in 2025 we have two days is what it takes.
3 Still way under the goal. The reason for the increase
4 in 2025 so far is because we had a retirement. So a
5 staff of three was reduced to a staff of two, plus the
6 supervisor. And so you can see it would take just a
7 little bit longer in processing those, but it's still
8 way under the goal.

9 So, Number 9, plan pages reviewed, they reviewed --
10 oh, this also makes a difference. Sorry -- 400 pages
11 in 2024 for this time period, and 1,126 for the same
12 timeframe in 2025. So not only did they lose somebody,
13 but they also did three times the number of reviews.
14 So makes a big difference.

15 No data to report this quarter due to the number of
16 pending citations to be processed for the percentage of
17 warnings by focused violation type. So hopefully what
18 will happen is when we get those citations issued, we
19 will have better numbers to actually report the
20 warnings as well.

21 Electrical licensing, citations, amusement rides,
22 and appeals. As of 04/01/2025 there were approximately
23 1,175 items waiting to be processed by the licensing
24 team. The oldest item is dated 6/6/25. About 994
25 items are affidavits needing to be processed. The team



1 is working with one vacant customer service specialist
2 position. That's in addition to the ones I've just
3 mentioned. In addition to processing documents,
4 licensing staff are responsible for answering all the
5 incoming electrical licensing phone calls for the
6 timeframe between 1/1/25 and 3/31/25. They received
7 5,478 calls through the licensing phone line. This
8 does not include inbound calls to their direct lines or
9 outbound calls made to customers.

10 Both of the citations and amusement rides positions
11 are currently vacant, as well at the appeals position.
12 Due to the recent directive of the governor, 20-19, we
13 are unable to hire any positions. Amber Bac and Jen
14 Deitrich are working together to cover the urgent items
15 for citations.

16 The phone calls have increased primarily because --
17 and we had those very well under control last year at
18 the end of the year. But they have increased because
19 the amount of time it takes us to process documents has
20 increased due to the lack of staff, and so people are
21 calling and wondering where things are at. The ironic
22 part of that is that when people call to ask where
23 their documents are at, that takes time away from us
24 actually being able to process those documents. So we
25 have been looking at several different options for



1 those phone calls, including a phone queue of sorts
2 that doesn't interrupt the licensing staff. The
3 licensing staff does have a protected time where they
4 don't answer the telephone. Some do and some don't.
5 And they alternate in that process so that they can
6 process documents uninterrupted and not have to change
7 processes in the middle of doing some work to help
8 efficiencies.

9 Any questions about the report before I get into
10 other program updates?

11 CHAIR JENKINS: Looks like Board Member
12 Gregory Johnson.

13 BOARD MEMBER JOHNSON: Yeah. So this seems to
14 overlap with the excellent letter that you put
15 together, Chair. And I am wondering have we sent this
16 letter yet? If not, is it worthwhile -- does it make
17 sense to reference this report and highlight things in
18 the report and show what the impact is? Any thoughts?

19 CHAIR JENKINS: Well, I can say that -- chair
20 here. I can say that it has been sent out. It's been
21 sent out to multiple people in the chain. And the only
22 response I've gotten back so far is actually from you
23 all. So I haven't gotten any response back from the
24 governor or anything like that yet. Not saying it's
25 good or bad, but that's currently where it stands.



1 Since he brought it up, can I interrupt you a
2 little bit there, Wayne, and make an add to this? What
3 I'd like to do is put this letter into the board
4 minutes. I really don't think reading out loud will do
5 it any favors because I'm horrible reading stuff out
6 loud. But I'd like to get a motion -- the chair would
7 entertain a motion for this letter to be typed into our
8 minutes into this meeting.

9 BOARD MEMBER NORD: Board Member Nord, motion.

10 CHAIR JENKINS: We have a motion.

11 Do we have a second?

12 BOARD MEMBER JOHNSON: I'll second.

13 CHAIR JENKINS: Motion from Board Member Nord.

14 Second from . . .

15 BOARD MEMBER JOHNSON: Gregory Johnson.

16 CHAIR JENKINS: Gregory Johnson.

17 Any discussion?

18 Hearing none, all in favor to put this into our
19 minutes signify by saying "aye."

20 (Chorus of ayes.)

21 CHAIR JENKINS: Any opposed?

22 (No response.)

23 CHAIR JENKINS: Motion passes. So I want to
24 make sure to put that into place.

25 //



(The following letter included
per above motion and vote.)

"Dear Governor Ferguson:

On behalf of the Washington State Electrical Board, I
write to express their strong opposition to the
proposed sweep of \$6 million or a reduction in
allotment from the Electrical Program Fund administered
by the Department of Labor and Industries (Department).
The Electrical Program (Program) is a self-funding
regulatory system that plays a vital role in protecting
public safety, ensuring code compliance, and supporting
economic development across the state. Redirecting or
reducing these funds would jeopardize the program's
solvency and may ultimately require supplemental
legislative appropriations to sustain its essential
functions.

"The Electrical Program is not supported by the
state general fund; it operates entirely through
revenue generated by electrical permits and
licensing fees. This self-funding structure is
efficient, effective, and purpose-built to serve the
regulated community and the public interest
without imposing a burden on taxpayers. However, over
the past three years, the program's financial health
has been strained by increasing operational costs and



1 declining revenues. Specifically, Electrical
2 Inspector compensation rose by 21 % - a necessary
3 investment to remain competitive in a tight labor
4 market-while permit volumes have decreased and the
5 statutory fee schedule has remained fixed. These
6 conditions resulted in a \$2 million reduction in the
7 Electrical Fund last fiscal year.

8 "To stay ahead of the curve, the Department held 17
9 inspector and support positions vacant statewide. Even
10 with these cost-containment efforts, the fund still
11 declined by \$2 million. A \$6 million sweep or an
12 allotment reduction would not only exacerbate this
13 shortfall - it would destabilize the program's ability
14 to respond to growing workload demands and maintain
15 adequate staffing.

16 "Each inspector position costs the fund
17 approximately \$180,000 annually - commensurate with
18 their experience and the labor market. If the program
19 is unable to hire in response to a rise in demand for
20 its services, delays in inspections will hold up
21 construction timelines across multiple trades. These
22 delays will result in costly bottlenecks for both
23 public and private development projects-delays that
24 directly undermine Washington's broader efforts to
25 promote economic growth and affordable housing.



1 "The Electrical Program is foundational to the
2 state's construction economy. Whether supporting a
3 residential build, a commercial retrofit, or a
4 utility-scale infrastructure project, timely electrical
5 inspections are essential to project progression. When
6 inspection timelines break down, the entire
7 construction schedule suffers, inflating costs and
8 discouraging investment. Developers working on
9 affordable housing projects may face financing and
10 scheduling challenges that make projects unviable if
11 inspection delays persist.

12 "Moreover, weakening regulatory enforcement
13 capacity creates opportunities for unlicensed and
14 unsafe electrical work to proliferate - fueling
15 the underground economy and putting workers, consumers,
16 and communities at risk. Once lost, this regulatory
17 capacity is difficult and expensive to rebuild.

18 "If the fund is swept, or a reduced allotment is
19 (enforced, enacted, chosen), the Department may not be
20 able to maintain even its current level of service.
21 The state would be forced to backfill that loss through
22 legislative appropriations - something the Electrical
23 Program has worked hard to avoid for decades by
24 maintaining a stable, self-funding model.

25 "As provided under RCW 19.28.311, the Electrical



1 Board advises the Department on policy and regulatory
2 matters to ensure the safety of life and property.
3 From that perspective, we are compelled to state
4 clearly that sweeping \$6 million or reducing the
5 allotment of the Department would erode public safety
6 protections, disrupt economic development, and undercut
7 the state's efforts to address the housing crisis.

8 "We respectfully urge your office to reconsider
9 this proposal and instead work collaboratively with the
10 Department, the Electrical Board, and legislative
11 leadership to preserve the program's financial
12 stability and ensure it continues to support the
13 economic, safety, and housing goals of Washington
14 State."

15 (Conclusion of letter.)

16 CHAIR JENKINS: And then from there, I guess I
17 will turn it back over to Wayne Molesworth.

18 Is there anything you'd like to add to that?

19 SECRETARY MOLESWORTH: Thank you,
20 Mr. Chairman.

21 Are there any other questions about the secretary's
22 report?

23 If not, I will move in to other program updates,
24 which also includes a thank you to the board for your
25 support for offering up a letter to those that make the



1 decisions in the state outlining the necessity of our
2 program and the funding that it takes to actually
3 operate our program was very much appreciated. I've
4 been watching a little bit closer. I've got a little
5 bit more confidence in the outcomes of what we expected
6 and what may actually be the reality being more
7 positive than we thought, and partially due probably to
8 the letter that the board sent. So thank you very much
9 for that. Appreciate the efforts on your part.

10 CHAIR JENKINS: One more time. I want to make
11 sure it is clear the letter -- the email I sent off, I
12 had no response from anybody in the legislation or the
13 governor, but we did get -- thank you very much for
14 saying it now, and I wanted to make sure I said this.
15 We have received a thank you from the Department
16 without a doubt. So they've been very thankful for us
17 putting that letter in. So I want to make sure I did
18 put that in. Sorry. I'll quit interrupting you.

19 SECRETARY MOLESWORTH: I'll say thank you
20 again.

21 So in 2025 electrical board meetings will probably
22 be held virtual. You see that we've got this one is a
23 hybrid due to one of the appellants needing to be in
24 person. And there has been people that have wanted to
25 be in person. We can't pick up the expenses for that



1 at this time. What we are looking at is if people want
2 to pay their own expenses if they want to be in person,
3 what does that look like? We'll still entertain that.
4 But I think for the time being we have to look at this
5 meeting as being virtual until we hear otherwise from
6 the governor as far as travel expenses and that type of
7 thing.

8 So I don't know how many of you may be aware, but
9 one of the things that I wanted to bring you up to date
10 on was that there's been -- due to the governor asking
11 for efficiencies and looking at, you know, how well our
12 L&I works, you know, in that efficient process, there's
13 been some decisions made by our leadership. One of
14 them is being the restructuring of the field services
15 and public safety and FPLS programs, moving different
16 programs around between the two. Ours is staying in
17 field services and public safety. However, the
18 reporting structure will change. So in the future --
19 and this is not immediate. Right now it's business as
20 usual. But in the future, what we'll be looking at is
21 a reporting structure that goes from the field
22 inspector to their supervisor to possibly -- I'm going
23 to say that again -- possibly an operations manager or
24 assistant chief, whatever the title might be, and they
25 would report to the chief. So there will be no



1 regional supervision anymore. That supervision will go
2 directly to the -- through the electrical program.
3 This was a hard -- a hard decision for them to make,
4 I'm sure. And it's currently business as usual. So
5 anything that needs to be done is done through the RAs
6 until we get to that phase of the project in moving it
7 around, which we don't have any real good dates on it.
8 We're phase three, so that's out a ways. Because of
9 that I've decided to stay on as chief a little bit
10 longer. I know some of you were hearing that I was,
11 you know, possibly leaving in the end of June. If
12 everything works out well, I'll probably stay until
13 this is implemented. But that's something that we have
14 to -- we have to look at. I hope that doesn't
15 disappoint too many of you.

16 Any questions about that?

17 CHAIR JENKINS: I think we're looking good.

18 Any questions from the board at all?

19 Seeing none, is there anything else you would like
20 to bring up there, Secretary Wayne Molesworth?

21 SECRETARY MOLESWORTH: I have one more thing
22 on an update before general questions. We are
23 currently at two retirees in VEI. We obtained three
24 more VEI positions. And in addition to those retirees,
25 we're opening recruitments for those. Those will be



1 recruited from internal for experienced inspectors.
2 And of those, at least two of those positions will be
3 focusing and we will probably be opening a solar
4 voltaic inspection process through VEI for small solar
5 installations, which should reduce the workload
6 substantially in the regions.

7 That being said, are there any questions from the
8 board?

9 CHAIR JENKINS: Definitely a quiet morning.

10 SECRETARY MOLESWORTH: I guess I thought with
11 those topics I might get a little question. But thank
12 you. I'm sure everybody understands.

13 CHAIR JENKINS: Thank you very much. I
14 appreciate your time.

15 One item that I'd like to kind of throw in here I'd
16 be remiss by not bringing up. Today is -- here in
17 Tumwater they're doing a memorial on the workers in
18 Washington that have died last year. I wanted to make
19 sure I mentioned this because at two o'clock today,
20 they're doing some -- I could just read it out of the
21 article here where 97 fallen Washington workers will be
22 honored during Washington's Annual Worker Memorial Day
23 ceremony held today, Thursday, and in Tumwater. So I
24 just want to make sure that I mention that something
25 going on here. Some of the attendants are going to be



1 Governor Bob Ferguson, L&I Director Joel Sacks, and
2 some other representatives are going to be here today.
3 I think that's appropriate to bring up for this
4 meeting.

5 So any questions, comments, concerns from the board
6 at all?

7 (No response.)

8 CHAIR JENKINS: All right. Moving on to
9 public comments.

10 Oh, we've got somebody. Yes, Board Member Byron
11 Allen.

12 BOARD MEMBER ALLEN: Thank you. Yeah, Board
13 Member Allen here. Just to kind of spring off of what
14 you just mentioned about the fallen worker memorial
15 day, which, you know, is a sad day, but it's a day that
16 it's part of the reason we're here. Right? To protect
17 not just the public, but also protect the workers. I
18 just want to lift up the fact that next month, May, is
19 Mental Health Awareness Month. And this is not
20 always -- this is not an easy subject to bring up, but
21 it is a subject that is extremely important in the
22 construction industry. The International Brotherhood
23 of Electrical Workers has taken on this issue as a big,
24 big problem in the construction industry. Literally 83
25 percent of construction workers experience some level

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1 of mental health issues. And the construction industry
2 actually has the highest rate of suicide amongst any
3 industries over 53 workers per 100,000 take their
4 lives. There is a suicide hotline out there, 988, and
5 we highly recommend that people be aware of that. I
6 just think that not only are we out to protect the
7 health and well-being of the public with the work that
8 we do here, but all of us come from workplaces and we
9 have -- we are leaders in the industry, and we should
10 make it our role and our goal to help our workers and
11 people that we deal with to -- to be aware of the fact
12 that mental health is a real problem in the
13 construction industry, and anything that we can do to
14 lift that up is an important thing. So I appreciate
15 your time, and thank you for listening.

16 CHAIR JENKINS: Thank you very much. I
17 appreciate that.

18 I think we have a comment from Secretary Wayne
19 Molesworth?

20 SECRETARY MOLESWORTH: No. I was just giving
21 him a big thumbs up. That's an important part of any
22 workplace and important part of all our lives inside
23 and outside of the workplace.

24 So thank you, Byron. Appreciate that.

25 CHAIR JENKINS: Do we have any more comments



1 from the electrical board before we move on to our next
2 agenda item, which is public comment?

3 Board Member Kerry Cox.

4 BOARD MEMBER COX: Yes. Board Member Kerry
5 Cox.

6 I just wanted to clarify a comment I made to Chief
7 Molesworth during one of the appeals about exemption in
8 telecommunications for cord-and-plug. I want -- I just
9 wanted to put it on the record WAC 296-46B-901(8)(d)
10 gives that exemption for no permits or inspections for
11 installation or replacement of cord-and-plug connected
12 telecommunications equipment or patch cord and jumper
13 cross-connected equipment. I just want that on the
14 record. However, that being said, in the case that was
15 heard earlier this morning, that does not -- RCW
16 19.28.041 does not exempt them because installation of
17 the webcam which qualifies as telecommunication
18 equipment. They would have needed to be a licensed
19 telecommunications contractor to put that in. So I
20 just wanted that in for the record to clarify the
21 comment I made earlier.

22 CHAIR JENKINS: Thank you.

23 Any other questions, comments from the board?

24 Yes.

25 SECRETARY MOLESWORTH: I was just going to



1 thank Kerry for that clarification. That was my intent
2 to make sure that they either said there was no
3 exemption for that specific cord-and-plug equipment
4 that he was installing. Thank you.

5 CHAIR JENKINS: Thank you again.

6 Any other electrical board members have any
7 comments? If no, we're moving on to our public
8 comments.

9 (No response.)

10

11

PUBLIC COMMENTS

12

13 CHAIR JENKINS: Anybody who needs to bring up
14 a public comment? Anybody -- we don't have a sign-in
15 sheet, so I'm just speaking up at this point. Call
16 again, anybody public comments?

17

Board Member Gray.

18

19 BOARD MEMBER GRAY: Thank you, Mr. Chair.
20 Just a question, I guess. With these virtual meetings,
21 does the public know -- I mean are they advertised in
22 such a way that people would know they have access and
23 can get online and all that? It just made me think
24 because we didn't get anybody today at all. And when
25 they were regularly scheduled, people, if they had an
 interest to attend these things, know where to look.

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1 So I guess I don't know that. I just want to ask if
2 that same amount of advertising is done so that people
3 would be aware of this and know how to get plugged in
4 online if they wanted to. Thank you.

5 CHAIR JENKINS: So I do think we have someone
6 here that's really well versed in that answer, so I
7 want to pass it on.

8 MS. DIETRICH: Jen Dietrich, program support
9 manager.

10 We actually advertise all of the board meetings and
11 the agendas and then the subsequent transcripts from
12 the meetings on our external website. So you can find
13 that information online. We also are required to
14 report that with the Office of the Code Reviser. So we
15 report that as well. And so the Zoom link is on the
16 website where people can find that, and then they can
17 click on that link and join us remotely.

18 BOARD MEMBER GRAY: Thank you.

19 CHAIR JENKINS: Thank you for asking that
20 question because many people out there are curious
21 about that too.

22 All right. Last call for public comment.

23 I see, Board Member Kerry Cox, do you have your
24 hand up. Did you have a question or comment you want
25 to make?



1 BOARD MEMBER COX: Yeah, comment. As long as
2 Bobby brought up the virtual thing, I just -- for the
3 record I want to let Jen and Amber know, and you
4 Chairman, that I appreciate the Zoom interface and the
5 quality of the audio and the video. I know we have
6 used another videoconferencing tool in the past when
7 we've done virtual. I just appreciate the quality and
8 the ease of use of this Zoom interface. So if there's
9 a -- if there's a vote to stay with this one, you've
10 got my vote to stay with this application. Thank you.

11 CHAIR JENKINS: Chair Jenkins. I want to --
12 since you mentioned that -- I was going to hold off my
13 comment on that, but I know the secretary was talking
14 about how this is all going virtual and kind of with an
15 explanation point. I do like the idea of coming here
16 in Tumwater to do this because I think that this is
17 what drives this facility to be a good place to house
18 it from. So if I can have any input to say yes, can I
19 please keep coming to Tumwater for these meetings? I'd
20 appreciate it.

21 BOARD MEMBER GRAY: So moved.

22 CHAIR JENKINS: And we also have other people
23 that may be interested in it such as Board Member Bobby
24 Gray. So thank you very much for let us do this here,
25 and hopefully we can continue doing that.



1 Last call once again for public comments.

2 (No response.)

3 CHAIR JENKINS: Hearing none, the chair would
4 entertain a motion to close the April 24th meeting.

5 BOARD MEMBER NORD: Board Member Nord, motion.

6 CHAIR JENKINS: We have a motion.

7 Do we have a second?

8 BOARD MEMBER KNOTTINGHAM: Board Member
9 Knottingham, second.

10 CHAIR JENKINS: We have a motion and a second.
11 Any discussion?

12 (No response.)

13 CHAIR JENKINS: All in favor of the motion
14 signify by saying "aye."

15 (Chorus of ayes.)

16 CHAIR JENKINS: Any opposed?

17 (No response.)

18 CHAIR JENKINS: Motion passes.

19 Thank you very much for all being here today.

20 (Meeting adjourned at 12:06 p.m.)

21

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23

24

25



CERTIFICATE

I, JANETTE CURLEY, a Certified Stenographic Court Reporter in and for the State of Washington, residing at Kingston, do hereby certify:

That the foregoing proceedings were reported by me and thereafter reduced to a typed format under my direction; that the transcript consisting of pages 1 through 123 is a full, true and complete transcript of said proceedings;

That as a CCR in this state, I am bound by the Rules of Conduct as Codified in WAC 308-14-130; that court reporting arrangements and fees in this case are offered to all parties on equal terms; that I am not a relative, employee, attorney or counsel of any party to this action, or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That upon completion, the original transcript will be securely sealed and served upon the appropriate party.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of May, 2025.



Janette Curley, CCR No. 2030



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