



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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DATE: August 07, 2020

TIME: 9:06 AM

WSR 20-17-028

**Agency:** Department of Labor & Industries (L&I)

**Subject of possible rule making:** The purpose of this rulemaking is to consider amending the general journeyman electrician and specialty electrician licensing qualifications for reciprocity in WAC 296-46B-940. L&I received a petition for rulemaking requesting the amendments to allow for reciprocal licensing of electricians between Washington State and Oregon. The rule amendments under consideration would remove the requirements for a one-year waiting period and allow applicants who qualify to immediately apply for a reciprocal certificate with the state of Washington. The changes would also remove provisions that exclude certain individuals from qualifying for a reciprocal certificate if they previously failed the Washington examination. This rulemaking does not change requirements that reciprocal agreements can only be made with states that have equivalent qualifications as Washington.

**Statutes authorizing the agency to adopt rules on this subject:** Chapter 19.28 RCW Electricians and Electrical Installations including RCW 19.28.031 and RCW 19.28.251

**Reasons why rules on this subject may be needed and what they might accomplish:** L&I has adopted an emergency rule that amends the general journeyman electrician and specialty electrician licensing qualifications to facilitate a reciprocal agreement with the state of Oregon. This rulemaking considers the adoption of a permanent rule. L&I will be soliciting input from stakeholders in the development of the permanent rule.

According to the Bureau of Labor Statistics, employment for electricians in the state will grow 18 percent from 2018 to 2028, almost twice as fast as the national average. As homes and businesses require more wiring, more electricians are needed to install the necessary components. Despite the COVID-19 pandemic, the labor shortage is expected to continue as the construction economy continues to recover.

Social distancing requirements brought on by COVID-19 have reduced availability of electrician examinations. Positive COVID-19 test results are causing workforce instability. Property owners and employers reassess staffing needs on a continuous basis as a result. To remain employed, electricians may need to pass another state's examination to work there. To remain in business, employers must have access to electricians who have proper credentials. Because there are no reciprocal agreements, Oregon employers shifting their workforce to projects in Washington face delays while their electricians schedule and pass examinations. The same is true for Washington employers and their electricians pursuing work in Oregon.

The impacts of the shortage of qualified electricians include:

- Small projects delayed because electricians seek work on large projects that offer inflated wages;
- Companies stop bidding, causing delays in starting new projects;
- Projects take longer to complete resulting in cost overruns; and
- Public safety risks associated with hazards created when unqualified individuals step in to perform electrical work when qualified electricians are not available.

To help address these issues, L&I is considering amending the qualifications to allow electricians in Washington and Oregon to qualify for certification with the other state. This is necessary for the preservation of public safety by helping to alleviate the severe shortage of electricians, and provide more access to qualified electricians working near the border between Washington and Oregon.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) Interested parties can participate in the decision to adopt the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. All rule changes will be reviewed by the state's Electrical Board.

For more information about this rulemaking, visit the L&I website at: <https://lni.wa.gov/licensing-permits/electrical/laws-rules-policies> or contact the individual below.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

(If necessary)

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Additional comments:

**Date:** August 7, 2020

**Signature:**

**Name:** Joel Sacks



**Title:** Director