



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: August 07, 2020

TIME: 9:07 AM

WSR 20-17-029

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

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

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

- Yes
  - No
- If Yes, explain:

**Purpose:** This emergency rule is necessary to align the general journeyman electrician and specialty electrician licensing qualifications for reciprocity with the state of Oregon to facilitate a reciprocal agreement, as authorized by RCW 19.28.231. The emergency rule incorporates the qualifying conditions for issuance of reciprocal licenses for electricians from WAC 296-46B-940, with additional changes to some provisions. The proposed rule language removes the requirements for a one year waiting period and allows applicants who qualify to immediately apply for a reciprocal certificate with Washington. It also removes 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.

**Citation of rules affected by this order:**

- New:
- Repealed:
- Amended: WAC 296-46B-941, Electrician Certificate Reciprocity.
- Suspended:

**Statutory authority for adoption:** Chapter 19.28 RCW, Electricians and Electrical Installations including RCW 19.28.031 and RCW 19.28.251

**Other authority:** None.

**EMERGENCY RULE**

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

**Reasons for this finding:** 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, the emergency rule allows 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.

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

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

**The number of sections adopted in order to comply with:**

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

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

New	___	Amended	___	Repealed	___
-----	-----	---------	-----	----------	-----

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

New	<u>1</u>	Amended	___	Repealed	___
-----	----------	---------	-----	----------	-----

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

New	<u>1</u>	Amended	___	Repealed	___
-----	----------	---------	-----	----------	-----

**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	<u>1</u>	Amended	___	Repealed	___

**Date Adopted:** August 7, 2020

**Name:** Joel Sacks

**Title:** Director

**Signature:**

