



Preliminary Cost-Benefit Analysis

**WAC 296-46B-945, Qualifying for master, journey level,
specialty electrician examinations.**

I. Introduction

Administrative Procedure Act Requirements

The Administrative Procedure Act (APA) requires that, before adopting a significant legislative rule, the Department of Labor & Industries (L&I) must analyze the probable costs and benefits of the rule, and determine that the benefits are greater than its costs, taking into account both the qualitative and quantitative benefits and costs.” [RCW 34.05.328(1)(d)]

RCW 34.05.328(5)(c)(iii) defines a "significant legislative rule" as a rule, other than a procedural or interpretive rule, that:

- Adopts substantive provisions of law pursuant to delegated legislative authority, the violation of which subjects a violator of such rule to a penalty or sanction;
- Establishes, alters, or revokes any qualification or standard for the issuance, suspension, or revocation of a license or permit; or
- Adopts a new, or makes significant amendments to, a policy or regulatory program.

Under certain circumstances, a rule or rule component is exempt from this requirement.

Proposed Rules

This rulemaking proposes amendments to the qualifications for journey level electrician examinations under WAC 296-46B-945. Rules are required to implement Substitute Senate Bill 6126 (SSB 6126) (Chapter 249, Laws of 2018). SSB 6126 enacted apprenticeship requirements for journey level electrician examination candidates that take effect July 1, 2023.

SSB 6126 gives L&I the authority, until July 1, 2025, to permit applicants that have obtained experience and training equivalent to a journey level apprenticeship program to take the examination, if the applicant has “good cause” for not completing the minimum hours of work applicable on July 1, 2023 (RCW 19.28.195). L&I is authorized to exercise this discretion until July 1, 2025.

Under the proposed rules, L&I is exercising the discretion provided in the law to allow temporary alternative pathways to qualify for the 01 journey level electrician examination through a “good cause” exemption.

The proposed amendments:

- Provide exceptions to apprenticeship completion requirements to qualify for 01 journey level electrician examination. Due to the universal effects of the COVID-19 pandemic, “good cause” will be granted until July 1, 2025, to journey level examination candidates who meet the experience identified under the exception. The proposed changes for the exceptions include:

- Modifying the requirements to qualify for the 01 journey level electrician examination for apprentices registered in chapter 49.04 RCW programs. Allows apprentices to qualify for examination before completing an apprenticeship program once they complete the education and work experience required of the apprenticeship program.
- Recognizing examination based state-licensed electricians from other jurisdictions that require 8,000 hours of experience (4,000 hours must be new commercial or industrial installations) to qualify for the 01 journey level electrician examination.
- Recognizing individuals with electrical experience gained in a construction battalion while serving in the armed forces of the United States to qualify for the 01 journey level electrician examination.
- Recognizing individuals from other jurisdictions that have 16,000 hours working in the electrical construction trade (4,000 hours must be commercial or industrial installations) to qualify for the 01 journey level electrician examination. Individuals under these provisions include those who work in states that have no licensing requirements for electricians or states where licensing is not examination based.
- Recognizing individuals with 4,000 hours performing industrial or commercial installations accrued prior to July 1, 2023. The individual can continue accruing remaining specialty experience and qualify for the journey level electrician examination without joining an apprenticeship program.
- Include how L&I will approve qualified hours gained by applicants for the journey level examination under the good cause exemptions.
- Include changes that remove obsolete language and clarify the rule without changing its effect. These include:
 - Removing the subsection that applies to qualifying for the 01 journey level electrician examination with on-the-job-training that becomes obsolete on July 1, 2023, due to passage of SSB 6126.
 - Modifying rules for general housekeeping, such as reference corrections, renumbering, formatting, replacing written numbers with numerals, etc.

II. Probable Costs and Benefits of the Proposed Rule

Starting July 1, 2023, an individual can only qualify for the journey level electrician examination on July 1 if they have successfully completed an apprenticeship program approved under chapter 49.04 RCW or equivalent apprenticeship program approved by the department for the electrical construction trade in which the applicant worked in the electrical construction trade for a minimum of 8,000 hours. RCW 19.28.195 grants L&I discretionary authority to permit applicants that have obtained experience and training equivalent to a journey level apprenticeship program to take the examination, if the applicant has “good cause” for not completing the

apprenticeship requirements on July 1, 2023. The proposed rule recognizes universal “good cause” due to the COVID-19 pandemic and identify multiple experience and training equivalent pathways for 01 journey level examination eligibility.

The proposed rules do not change the mandatory qualification or standard for the issuance of a journey level electrician certification, and the statutory requirement for completion of an apprenticeship program remains. The proposed rules add alternative pathways available under the good cause exemption that are available to any candidate who meets the criteria. As such, the proposed rules do not impose additional costs on individuals seeking journey level examination eligibility or their employers; rather the proposed rules reduce costs by providing alternative pathways.

The benefits of the proposed rules include increased access to the journey level examination for individuals who have the alternative experience under the good cause exemption. This will benefit the individuals seeking journey level certification and their employers and help address the need for journey level electricians in Washington.

Cost-Benefit Determination

As described above, the proposed rules do not impose additional costs and the probable benefits of this rule are likely much greater than the probable costs.