



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: September 24, 2024

TIME: 9:08 AM

WSR 24-20-034

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

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) September 24, 2024 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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

- Yes  No If Yes, explain: As permitted by RCW 34.05.380(3)(a), immediate implementation is necessary in order to implement Substitute House Bill 1889 (SHB 1889) (Chapter 50, Laws of 2024) and Engrossed Senate Bill 5997 (ESB 5997) (Chapter 97, Laws of 2024).

**Purpose:** L&I is adopting amendments to plumber trainee requirements under WAC 296-400A-120. The amendments will affect application for a certificate, supervision ratios and reporting of plumbing hours for plumber trainees. The amendments are needed for uniformity with the requirements in SHB 1889 and ESB 5997.

SHB 1889 includes a provision that permits applicants the ability to provide an Individual Taxpayer Identification Number (ITIN) in lieu of a Social Security Number (SSN) when completing an application for a professional license, commercial license, certificate, permit, or registration under Title 18 RCW. The bill took effect July 1, 2024.

ESB 5997 includes a provision that amends the expiration date of the required supervision ratios for plumber trainees to certified plumbers under RCW 18.106.070. The provision maintains the supervision ratio of three plumber trainees to one certified plumber on residential construction jobsites until December 31, 2028. A provision of the bill also removes the requirements that failure of a trainee to report plumbing hours worked for each employer is a violation of chapter 18.106 RCW, subject to an infraction under RCW 18.106.320, and must result in nonrenewal of the plumbing trainee certificate under RCW 18.106.070. The bill took effect June 6, 2024.

Adopted amendments are as follows:

**WAC 296-400A-120, What do I need to know about plumber trainee certificates?**

- Permits plumber trainee applicants the option of providing an ITIN in lieu of a SSN when applying for a plumber trainee certificate for uniformity with SHB 1889.
- Updates language for uniformity with ESB 5997. This includes:
  - Amending the expiration date for the required supervision ratios for plumber trainees to certified plumbers from December 31, 2025, to December 31, 2028; and
  - Removing the requirements that failure of a trainee to report plumbing hours worked for each employer is a violation of chapter 18.106 RCW, subject to an infraction under RCW 18.106.320, and must result in nonrenewal of a plumbing trainee certificate.
- Includes amendments to existing language for clarity.

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

New:  
 Repealed:  
 Amended: WAC 296-400A-120  
 Suspended:

**Statutory authority for adoption:** SHB 1889, Chapter 50, Laws of 2024; ESB 5997, Chapter 97, Laws of 2024; and Chapter 18.106 RCW

**Other authority:** None

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 24-15-121 on July 23, 2024 (date).

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Web site:
- Other:

**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	1	Repealed	___

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

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	1	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date Adopted:** September 24, 2024

**Name:** Joel Sacks

**Title:** Director

**Signature:**

