CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6126

Chapter 249, Laws of 2018

65th Legislature 2018 Regular Session

JOURNEY LEVEL ELECTRICIAN CERTIFICATES -- APPRENTICESHIP

EFFECTIVE DATE: July 1, 2023

Passed by the Senate March 5, 2018 CERTIFICATE Yeas 43 Nays 6 I, Brad Hendrickson, Secretary of Senate of the State of KAREN KEISER Washington, do hereby certify that the attached is **SUBSTITUTE SENATE** President of the Senate BILL 6126 as passed by Senate and the House of Representatives on the dates hereon set forth. Passed by the House February 27, 2018 Yeas 62 Nays 36 BRAD HENDRICKSON Secretary FRANK CHOPP Speaker of the House of Representatives Approved March 23, 2018 9:21 AM FILED March 26, 2018 Secretary of State

State of Washington

JAY INSLEE

Governor of the State of Washington

SUBSTITUTE SENATE BILL 6126

AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

State of Washington 65th Legislature 2018 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Saldaña, Hasegawa, Chase, Conway, Zeiger, Keiser, and Kuderer)

READ FIRST TIME 01/17/18.

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- AN ACT Relating to requiring completion of an apprenticeship program to receive a journey level electrician certificate of competency; amending RCW 19.28.191, 19.28.161, and 19.28.205; adding a new section to chapter 19.28 RCW; providing an effective date; and providing an expiration date.
- 6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 7 **Sec. 1.** RCW 19.28.191 and 2016 c 198 s 2 are each amended to 8 read as follows:
 - (1) Upon receipt of the application, the department shall review the application and determine whether the applicant is eligible to take an examination for the master journey level electrician, journey level electrician, master specialty electrician, or specialty electrician certificate of competency.
 - (a) ((Before July 1, 2005, an applicant who possesses a valid journey level electrician certificate of competency in effect for the previous four years and a valid general administrator's certificate may apply for a master journey level electrician certificate of competency without examination.
- 19 (b) Before July 1, 2005, an applicant who possesses a valid 20 specialty electrician certificate of competency, in the specialty 21 applied for, for the previous two years and a valid specialty

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1 administrator's certificate, in the specialty applied for, may apply for a master specialty electrician certificate of competency without 3 examination.

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- (c) Before December 1, 2003, the following persons may obtain an equipment repair specialty electrician certificate of competency without examination:
- (i) A person who has successfully completed an apprenticeship program approved under chapter 49.04 RCW for the machinist trade; and
- (ii) A person who provides evidence in a form prescribed by the department affirming that: (A) He or she was employed as of April 1, 2003, by a factory-authorized equipment dealer or service company; and (B) he or she has worked in equipment repair for a minimum of four thousand hours.
- (d))) To be eligible to take the examination for a master journey level electrician certificate of competency, the applicant must have possessed a valid journey level electrician certificate of competency for four years.
- $((\frac{(e)}{e}))$ (b) To be eliqible to take the examination for a master specialty electrician certificate of competency, the applicant must have possessed a valid specialty electrician certificate competency, in the specialty applied for, for two years.
- $((\frac{f}{f}))$ (c) To be eligible to take the examination for a journey 22 23 level certificate of competency, the applicant must have ((÷
 - (i))) 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 eight thousand hours((, of which)). Four thousand of the hours shall be in industrial or commercial electrical installation under the supervision of a master journey level electrician or journey level electrician and not more than a total of four thousand hours in all specialties under the supervision of a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Specialty electricians with less than a four thousand hour work experience requirement cannot credit the time required to obtain that specialty towards qualifying to become a journey level electrician((; or
 - (ii) Successfully completed an apprenticeship program approved under chapter 49.04 RCW for the electrical construction trade)). The

p. 2 SSB 6126.SL holder of a specialty electrician certificate of competency with a four thousand hour work experience requirement shall be allowed to credit the work experience required to obtain that certificate towards apprenticeship requirements for qualifying to take the examination for a journey level electrician certificate of competency.

 $((\frac{g}{i}))$ of the eligible to take the examination for a specialty electrician certificate of competency, the applicant must have:

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 $((\frac{A}{A}))$ (i) Worked in the residential (as specified in WAC 296-46B-920(2)(a)), pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)), specified WAC limited energy (as in 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)), or other new nonresidential specialties as determined by the department in rule under the supervision of a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty for a minimum of four thousand hours;

 $((\frac{B}{B}))$ (ii) Worked in the appliance repair specialty determined by the department in rule, restricted nonresidential maintenance as determined by the department in rule, the equipment repair specialty as determined by the department in rule, the pump and irrigation specialty other than as defined by $((\frac{g}{g}))$ $(\frac{d}{g})$ ((A))) of this subsection or domestic pump specialty as determined by the department in rule, or a specialty other than the designated specialties in $((\frac{g}{g}))$ $(\underline{d})(i)((\frac{A}{g}))$ of this subsection for a minimum of the initial ninety days, or longer if set by rule by the department. The restricted nonresidential maintenance specialty is limited to a maximum of 277 volts and 20 amperes for lighting branch circuits and/or a maximum of 250 volts and 60 amperes for other circuits excluding the replacement or repair of circuit breakers. The department may alter the scope of work for the restricted nonresidential maintenance specialty by rule. The initial period must be spent under one hundred percent supervision of a master journey level electrician, journey level electrician, master electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. After this initial period, a person may take the specialty examination. If the

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person passes the examination, the person may work unsupervised for the balance of the minimum hours required for certification. A person may not be certified as a specialty electrician in the appliance repair specialty or in a specialty other than the designated specialties in $((\frac{1}{2}))$ $(\frac{1}{2})$ $(\frac{1}{2})$ of this subsection, however, until the person has worked a minimum of two thousand hours in that specialty, or longer if set by rule by the department; $(\frac{1}{2})$

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(C))) (iii) Successfully completed an approved apprenticeship program under chapter 49.04 RCW for the applicant's specialty in the electrical construction trade((\cdot)); or

(((ii))) (iv) In meeting the training requirements for the pump and irrigation or domestic pump specialties, the individual shall be allowed to obtain the experience required by this section at the same time the individual is meeting the experience required by RCW 18.106.040(1)(c). After meeting the training requirements provided in this section, the individual may take the examination and upon passing the examination, meeting additional training requirements as may still be required for those seeking a pump and irrigation, or a domestic pump specialty certificate as defined by rule, and paying the applicable fees, the individual must be issued the appropriate certificate. The department may include an examination for specialty plumbing certificate defined in RCW 18.106.010(10)(c) with the examination required by this section. The department, by rule and in consultation with the electrical board, may establish additional equivalent ways to gain the experience requirements required by this subsection. ((Individuals who are able to provide evidence to the department, prior to January 1, 2007, that they have been employed as a pump installer in the pump and irrigation or domestic pump business by an appropriately licensed electrical contractor, registered general contractor defined by chapter 18.27 RCW, or appropriate general specialty contractor defined by chapter 18.27 RCW for not less than eight thousand hours in the most recent six calendar years shall be issued the appropriate certificate by the department upon receiving such documentation and applicable fees.)) The department shall establish a single document for those who have received both an electrical specialty certification as defined by this subsection and have also met the certification requirements for the specialty plumber as defined by RCW 18.106.010(10)(c), showing individual has received both certifications. No other experience or training requirements may be imposed.

(((iii) Before July 1, 2015, an applicant possessing an electrical training certificate issued by the department is eligible to apply one hour of every two hours of unsupervised telecommunications system installation work experience toward eligibility for examination for a limited energy system certificate of competency (as specified in WAC 296-46B-920(2)(e)), if:

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- (A) The telecommunications work experience was obtained while employed by a contractor licensed under this chapter as a general electrical contractor (as specified in WAC 296-46B-920(1)) or limited energy system specialty contractor (as specified in WAC 296-46B-920(2)(e)); and
- (B) Evidence of the telecommunications work experience is submitted in the form of an affidavit prescribed by the department.
- $\frac{(h)}{(e)}$ Any applicant for a journey level electrician certificate of competency who has successfully completed a two-year program in the electrical construction trade at public community or technical colleges, or not-for-profit nationally accredited technical or trade schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may substitute up to two years of the technical or trade school program for two years of work experience under a master journey level electrician or journey level electrician required under the apprenticeship program. The applicant shall obtain the additional two years of work experience required in industrial or commercial electrical installation prior to the beginning, or after the completion, of the technical school program. applicant who has received training in the electrical construction trade in the armed service of the United States may be eligible to apply armed service work experience towards qualification to complete an apprenticeship and take the examination for the journey level electrician certificate of competency.
- $((\frac{1}{2}))$ (f) An applicant for a specialty electrician certificate of competency who, after January 1, 2000, has successfully completed a two-year program in the electrical construction trade at a public community or technical college, or a not-for-profit nationally accredited technical or trade school licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may substitute up to one year of the technical or trade school program for one year of work experience under a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician

working in that electrician's specialty. Any applicant who has received training in the electrical construction trade in the armed services of the United States may be eligible to apply armed service work experience towards qualification to take the examination for an appropriate specialty electrician certificate of competency.

- $((\frac{1}{2}))$ (g) The department must determine whether hours of training and experience in the armed services or school program are in the electrical construction trade and appropriate as a substitute for hours of work experience. The department must use the following criteria for evaluating the equivalence of classroom electrical training programs and work in the electrical construction trade:
- 12 (i) A two-year electrical training program must consist of three 13 thousand or more hours.
 - (ii) In a two-year electrical training program, a minimum of two thousand four hundred hours of student/instructor contact time must be technical electrical instruction directly related to the scope of work of the electrical specialty. Student/instructor contact time includes lecture and in-school lab.
- 19 (iii) The department may not allow credit for a program that 20 accepts more than one thousand hours transferred from another 21 school's program.
 - (iv) Electrical specialty training school programs of less than two years will have all of the above student/instructor contact time hours proportionately reduced. Such programs may not apply to more than fifty percent of the work experience required to attain certification.
 - (v) Electrical training programs of less than two years may not be credited towards qualification for journey level electrician unless the training program is used to gain qualification for a four thousand hour electrical specialty.
- $((\frac{k}{k}))$ No other requirement for eligibility may be imposed.
 - (2) The department shall establish reasonable rules for the examinations to be given applicants for certificates of competency. In establishing the rules, the department shall consult with the board. Upon determination that the applicant is eligible to take the examination, the department shall so notify the applicant, indicating ((the time and place)) instructions for taking the examination.
- 38 (3) No noncertified individual may work unsupervised more than 39 one year beyond the date when the trainee would be eligible to test 40 for a certificate of competency if working on a full-time basis after

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original application for the trainee certificate. For the purposes of this section, "full-time basis" means two thousand hours.

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- Sec. 2. RCW 19.28.161 and 2013 c 23 s 29 are each amended to read as follows:
- (1) No person may engage in the electrical construction trade without having a valid master journey level electrician certificate of competency, journey level electrician certificate of competency, master specialty electrician certificate of competency, or specialty electrician certificate of competency issued by the department in accordance with this chapter. Electrician certificate of competency specialties include, but are not limited to: Residential, pump and irrigation, limited energy system, signs, nonresidential maintenance, restricted nonresidential maintenance, and appliance repair. ((Until July 1, 2007, the department of labor and industries shall issue a written warning to any specialty pump and irrigation or domestic pump electrician not having a valid electrician certification. The warning will state that the individual must apply for an electrical training certificate or be qualified for and apply for electrician certification under the requirements in RCW 19.28.191(1)(g) within thirty calendar days of the warning. Only one warning will be issued to any individual. If the individual fails to comply with this section, the department shall issue a penalty as defined in RCW 19.28.271 to the individual.))
 - (2)(a) A person who is ((indentured)): (i) Registered in an apprenticeship program approved under chapter 49.04 RCW or equivalent apprenticeship program approved by the department for the electrical construction trade ((or who is)); (ii) learning the electrical construction trade while working in a specialty; or (iii) learning the electrical construction trade in a program described in RCW 19.28.191(1) (e) or (f) for a journey level certificate of competency may work in the electrical construction trade if supervised by a certified master journey level electrician, journey level electrician, master specialty electrician in that electrician's specialty, or specialty electrician in that electrician's specialty.
 - (b) All apprentices and individuals learning the electrical construction trade shall obtain an electrical training certificate from the department. The certificate shall authorize the holder to learn the electrical construction trade while under the direct supervision of a master journey level electrician, journey level

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electrician, master specialty electrician working 1 that electrician's specialty, or specialty electrician working in that 2 electrician's specialty. The certificate may include a photograph of 3 the holder. The holder of the electrical training certificate shall 4 renew the certificate biennially. At the time of renewal, the holder 5 6 shall provide the department with an accurate list of the holder's employers in the electrical construction industry for the previous 7 biennial period and the number of hours worked for each employer. The 8 holder shall also provide proof of ((sixteen)) forty-eight hours of: 9 10 Approved classroom training covering this chapter, the national electrical code, or electrical theory; or equivalent classroom 11 12 training taken as part of an approved apprenticeship program under chapter 49.04 RCW or an approved electrical training program under 13 $19.28.191(1)((\frac{h}{0}))$ (e). ((The number of hours of approved) 14 classroom training required for certificate renewal shall increase as 15 16 follows: (a) Beginning on July 1, 2011, the holder of an electrical 17 training certificate shall provide the department with proof of thirty-two hours of approved classroom training; and (b) beginning on 18 19 July 1, 2013, the holder of an electrical training certificate shall provide the department with proof of forty-eight hours of approved 20 21 classroom training. At the request of the chairs of the house of representatives commerce and labor committee and the senate labor, 22 commerce and consumer protection committee, or their successor 23 24 committees, the department of labor and industries shall provide 25 information on the implementation of the new classroom training requirements for electrical trainees to both committees by December 26 1, 2012.)) A biennial fee shall be charged for the issuance or 27 28 renewal of the certificate. The department shall set the fee by rule. The fee shall cover but not exceed the cost of administering and 29 30 enforcing the trainee certification and supervision requirements of 31 this chapter. 32

(c)(i) Apprentices and individuals learning the electrical construction trade shall have their electrical training certificates in their possession at all times that they are performing electrical work. They shall show their certificates to an authorized representative of the department at the representative's request.

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(ii) Unless working in a specialty, apprentices and individuals learning the electrical construction trade must also have in their possession proof of apprenticeship or training program registration. They shall show their apprenticeship or training program registration

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1 <u>documents to an authorized representative of the department at the</u> 2 <u>representative's request.</u>

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- (3) Any person who has been issued an electrical training certificate under this chapter may work: (a) If that person is under supervision, and is (b) unless working in a specialty, (i) registered in an approved journey level apprenticeship program, as appropriate; or (ii) learning the electrical construction trade in a program described in RCW 19.28.191(1)(e) for a journey level certificate of competency. Supervision shall consist of a person being on the same job site and under the control of either a certified master journey level electrician, journey level electrician, master electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Either a certified master journey level electrician, journey electrician, master specialty electrician working in electrician's specialty, or specialty electrician working in that electrician's specialty shall be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day unless otherwise provided in this chapter.
 - (4) The ratio of noncertified individuals to certified master journey level electricians, journey level electricians, master specialty electricians, or specialty electricians on any one job site is as follows:
- (a) When working as a specialty electrician, not more than two noncertified individuals for every certified master specialty electrician working in that electrician's specialty, specialty electrician working in that electrician's specialty, master journey level electrician, or journey level electrician, except that the ratio requirements are one certified master specialty electrician working in that electrician's specialty, specialty electrician in that electrician's specialty, master journey working electrician, or journey level electrician working as a specialty electrician to no more than four students enrolled in and working as part of an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited trade or technical schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW. In meeting the ratio requirements for students enrolled in an electrical construction program at a trade school, a trade school may receive input and advice from the electrical board; and

(b) When working as a journey level electrician, not more than one noncertified individual for every certified master journey level electrician or journey level electrician, except that the ratio requirements shall be one certified master journey level electrician or journey level electrician to no more than four students enrolled in and working as part of an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited trade or technical schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW. In meeting the ratio requirements for students enrolled in an electrical construction program at a trade school, a trade school may receive input and advice from the electrical board.

An individual who has a current training certificate and who has successfully completed or is currently enrolled in an approved apprenticeship program or in an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited technical or trade schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may work without direct on-site supervision during the last six months of meeting the practical experience requirements of this chapter.

(5) For the residential (as specified in WAC 296-46B-920(2)(a)), pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)), limited energy (as specified in WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)), restricted nonresidential maintenance determined by the department in rule, or other new nonresidential specialties, not including appliance repair, as determined by the department in rule, either a master journey level electrician, journey level electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty must be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day. Other specialties must meet the requirements specified in RCW $19.28.191(1)((\frac{g}{g}))$ (d)(ii). When the ratio of certified electricians to noncertified individuals on a job site is one certified electrician to three or four noncertified individuals, the certified electrician must:

- 1 (a) Directly supervise and instruct the noncertified individuals 2 and the certified electrician may not directly make or engage in an electrical installation; and 3
- (b) Be on the same job site as the noncertified individual for a 4 minimum of one hundred percent of each working day. 5
- 6 (6) The electrical contractor shall accurately verify and attest 7 to the electrical trainee hours worked by electrical trainees on behalf of the electrical contractor. 8
- 9 **Sec. 3.** RCW 19.28.205 and 2013 c 23 s 32 are each amended to 10 read as follows:

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- (1) An applicant for a journey level certificate of competency under RCW $19.28.191(1)((\frac{f}{f}))$ or a specialty electrician certificate of competency under RCW $19.28.191(1)((\frac{g}{g}))$ (d) must demonstrate to the satisfaction of the department completion of inclass education as follows:
- (a) Twenty-four hours of in-class education if two thousand hours 16 or more but less than four thousand hours of work are required for 17 the certificate; 18
- (b) Forty-eight hours of in-class education if four thousand or 19 20 more but less than six thousand hours of work are required for the certificate; 21
- (c) Seventy-two hours of in-class education if six thousand or 22 23 more but less than eight thousand hours of work are required for the 24 certificate;
- 25 (d) Ninety-six hours of in-class education if eight thousand or more hours of work are required for the certificate. 26
- (2) For purposes of this section, "in-class education" means approved classroom training covering this chapter, the national electric code, or electrical theory; or equivalent classroom training taken as part of an approved apprenticeship program under chapter 49.04 RCW or an approved electrical training program under RCW $19.28.191(1)((\frac{h}{h}))$ (e). 32
- (3) Classroom training taken to qualify for trainee certificate 33 34 renewal under RCW 19.28.161 qualifies as in-class education under 35 this section.
- NEW SECTION. Sec. 4. A new section is added to chapter 19.28 36 RCW to read as follows: 37

- (1) The department may permit an applicant who obtained experience and training equivalent to a journey level apprenticeship program to take the examination if the applicant establishes that the applicant has the equivalent training and experience and demonstrates good cause for not completing the required minimum hours of work under standards applicable on the effective date of this section.
 - (2) This section expires July 1, 2025.

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8 <u>NEW SECTION.</u> **Sec. 5.** Sections 1 through 4 of this act take 9 effect July 1, 2023.

Passed by the Senate March 5, 2018. Passed by the House February 27, 2018. Approved by the Governor March 23, 2018. Filed in Office of Secretary of State March 26, 2018.

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