

# HOUSE BILL REPORT

## SHB 1428

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### As of Second Reading:

**Title:** An act relating to electrical trainees.

**Brief Description:** Revising provisions for electrical trainees.

**Sponsors:** By House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Conway, Cooper and Kenney).

### Brief History:

#### Committee Activity:

Commerce & Labor: 2/6/03, 2/24/03 [DPS].

### Brief Summary of Substitute Bill

- Increases the percentage of time that certified electricians must supervise certain noncertified electrical trainees during the first 4,000 hours of work.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Conway, Chair; Wood, Vice Chair; Hudgins, Kenney and McCoy.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Chandler, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Crouse and Holmquist.

**Staff:** Jill Reinmuth (786-7134).

### Background:

The Department of Labor and Industries (Department) administers electrical contracting and certification laws. These laws establish qualifications for persons to take the examination to become certified journeyman electricians, and requirements for

noncertified trainees to work in the electrical construction trade.

To qualify to take the examination to become a journeyman electrician, a person must have:

- Worked as a trainee in the electrical construction trade for at least 8,000 hours; or
- Successfully completed a state-approved apprenticeship program in the electrical construction trade.

Up to two years of a technical or trade school program may be substituted for two years of work experience.

A journeyman electrician must supervise a trainee working in the electrical construction trade as a journeyman electrician. The electrician must be on the same job site as the trainee at least 75 percent of each working day. The electrician may supervise one trainee, or up to four trainees enrolled in a technical or trade school program.

Persons who are found in violation of job site supervision requirements must be assessed penalties as specified in Department rules. Current penalties are as follows:

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	<u>Failing to provide proper supervision to an electrical trainee</u>	<u>Working as an electrical trainee without proper supervision</u>
<u>First offense</u>	\$250	\$50
<u>Second offense</u>	\$350	\$100
<u>Subsequent offenses</u>	\$500	\$250

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In addition, hours worked without proper supervision are not considered when determining whether a trainee qualifies to take the examination to become certified as an electrician.

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### **Summary of Substitute Bill:**

The job site supervision requirements, but not the ratio requirements, for noncertified electrical trainees who are employed by general electrical contractors performing nonresidential installations are modified. During the first 4,000 hours of work, a certified journeyman electrician must be on the same job site as the trainee 100 percent of

each working day. Subsequently, the electrician must be on the same job site as the trainee at least 75 percent of each working day.

Trainees are not subject to fines for working without proper supervision if they are directed by their employers to work unsupervised or left unsupervised by their employers.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** Electrical work is dangerous. To protect the public we must protect workers. Inexperienced trainees should not be put in unsupervised and dangerous situations. They also shouldn't be punished for their employer's choice to leave them unsupervised. This bill is necessary because electrical workers have been involved in accidents. Accidents are more likely to happen to workers when they are unsupervised. One worker who was involved in an accident was told he would be fired if he testified before this committee. Existing law is unenforceable. Apprentices are regularly sent to or left on jobs to do routine work without supervision. Some trainees are told to supervise other trainees. Trainees are told to drop their tools if an inspector shows up, and to tell the inspector that their supervisor has gone to get parts. Inspectors cannot stay for more than two hours to see if the supervisor returns. Compliance with existing law becomes a competitive disadvantage. The trainee is not the only one at risk. The electrical work performed by unsupervised trainees could present hazards in the future. Apprentices in the electrical construction trade receive safety training and other classroom training that other trainees do not. During the first year, an apprentice does not work on or near live voltages, and thereafter, the apprentice does so only with direct supervision.

**Testimony Against:** Existing law has not resulted in widespread injury. This bill goes too far and would hurt very small electrical contractors. The original bill requires 100 percent supervision of trainees working in specialties, which is especially problematic for small contractors. There are other alternatives that should be considered to ensure the safety of trainees. For example, assign trainees to work only on nonenergized systems.

**Testified:** (In support) Representative Wood, prime sponsor; Richard King, Darrell Chapman, Gabriel De La Rosa, Michael Burruss, Greg Galusha, Richard Bombardier, and Don Aye, International Brotherhood of Electrical Workers; and William Bowser, Puget Sound Electrical Joint Apprenticeship Training Committee.

(Opposed) Kathleen Collins, Sheet Metal and Air Condition Contractors of Western Washington; Gary Smith, Independent Business Association; and Mark Johnson, National Federation of Independent Business.