
HOUSE BILL 1428

State of Washington

58th Legislature

2003 Regular Session

By Representatives Wood, Conway, Cooper and Kenney

Read first time 01/27/2003. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to electrical trainees; and amending RCW 19.28.161
2 and 19.28.271.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.28.161 and 2002 c 249 s 4 are each amended to read
5 as follows:

6 (1) No person may engage in the electrical construction trade
7 without having a valid master journeyman electrician certificate of
8 competency, journeyman electrician certificate of competency, master
9 specialty electrician certificate of competency, or specialty
10 electrician certificate of competency issued by the department in
11 accordance with this chapter. Electrician certificate of competency
12 specialties include, but are not limited to: Residential, pump and
13 irrigation, limited energy system, signs, nonresidential maintenance,
14 restricted nonresidential maintenance, and appliance repair.

15 (2) A person who is indentured in an apprenticeship program
16 approved under chapter 49.04 RCW for the electrical construction trade
17 or who is learning the electrical construction trade may work in the
18 electrical construction trade if supervised by a certified master
19 journeyman electrician, journeyman electrician, master specialty

1 electrician in that electrician's specialty, or specialty electrician
2 in that electrician's specialty. All apprentices and individuals
3 learning the electrical construction trade shall obtain an electrical
4 training certificate from the department. The certificate shall
5 authorize the holder to learn the electrical construction trade while
6 under the direct supervision of a master journeyman electrician,
7 journeyman electrician, master specialty electrician working in that
8 electrician's specialty, or specialty electrician working in that
9 electrician's specialty. The holder of the electrical training
10 certificate shall renew the certificate biennially. At the time of
11 renewal, the holder shall provide the department with an accurate list
12 of the holder's employers in the electrical construction industry for
13 the previous biennial period and the number of hours worked for each
14 employer. A biennial fee shall be charged for the issuance or renewal
15 of the certificate. The department shall set the fee by rule. The fee
16 shall cover but not exceed the cost of administering and enforcing the
17 trainee certification and supervision requirements of this chapter.
18 Apprentices and individuals learning the electrical construction trade
19 shall have their electrical training certificates in their possession
20 at all times that they are performing electrical work. They shall show
21 their certificates to an authorized representative of the department at
22 the representative's request.

23 (3) Any person who has been issued an electrical training
24 certificate under this chapter may work if that person is under
25 supervision. Supervision shall consist of a person being on the same
26 job site and under the control of either a certified master journeyman
27 electrician, journeyman electrician, master specialty electrician
28 working in that electrician's specialty, or specialty electrician
29 working in that electrician's specialty. Either a certified master
30 journeyman electrician, journeyman electrician, master specialty
31 electrician working in that electrician's specialty, or specialty
32 electrician working in that electrician's specialty shall be on the
33 same job site as the noncertified individual for a minimum of
34 (~~seventy-five~~) one hundred percent of each working day for the first
35 four thousand hours and seventy-five percent of each working day for
36 all hours thereafter, unless otherwise provided in this chapter.

37 (4) The ratio of noncertified individuals to certified master

1 journeymen electricians, journeymen electricians, master specialty
2 electricians, or specialty electricians on any one job site is as
3 follows:

4 (a) When working as a specialty electrician, not more than two
5 noncertified individuals for every certified master specialty
6 electrician working in that electrician's specialty, specialty
7 electrician working in that electrician's specialty, master journeyman
8 electrician, or journeyman electrician, except that the ratio
9 requirements are one certified master specialty electrician working in
10 that electrician's specialty, specialty electrician working in that
11 electrician's specialty, master journeyman electrician, or journeyman
12 electrician working as a specialty electrician to no more than four
13 students enrolled in and working as part of an electrical construction
14 program at public community or technical colleges, or not-for-profit
15 nationally accredited trade or technical schools licensed by the work
16 force training and education coordinating board under chapter 28C.10
17 RCW. In meeting the ratio requirements for students enrolled in an
18 electrical construction program at a trade school, a trade school may
19 receive input and advice from the electrical board; and

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

32 An individual who has a current training certificate and who has
33 successfully completed or is currently enrolled in an approved
34 apprenticeship program or in an electrical construction program at
35 public community or technical colleges, or not-for-profit nationally
36 accredited technical or trade schools licensed by the work force
37 training and education coordinating board under chapter 28C.10 RCW, may

1 work without direct on-site supervision during the last six months of
2 meeting the practical experience requirements of this chapter.

3 (5) For the residential (as specified in WAC 296-46A-930(2)(a)),
4 pump and irrigation (as specified in WAC 296-46A-930(2)(b)(i)), sign
5 (as specified in WAC 296-46A-930(2)(c)), limited energy (as specified
6 in WAC 296-46A-930(2)(e)(i)), nonresidential maintenance (as specified
7 in WAC 296-46A-930(2)(f)(i)), restricted nonresidential maintenance as
8 determined by the department in rule, or other new nonresidential
9 specialties, not including appliance repair, as determined by the
10 department in rule, either a master journeyman electrician, journeyman
11 electrician, master specialty electrician working in that electrician's
12 specialty, or specialty electrician working in that electrician's
13 specialty must be on the same job site as the noncertified individual
14 for a minimum of seventy-five percent of each working day. Other
15 specialties must meet the requirements specified in RCW
16 19.28.191(1)(f)(ii). When the ratio of certified electricians to
17 noncertified individuals on a job site is one certified electrician to
18 three or four noncertified individuals, the certified electrician must:

19 (a) Directly supervise and instruct the noncertified individuals
20 and the certified electrician may not directly make or engage in an
21 electrical installation; and

22 (b) Be on the same job site as the noncertified individual for a
23 minimum of one hundred percent of each working day.

24 (6) The electrical contractor shall accurately verify and attest to
25 the electrical trainee hours worked by electrical trainees on behalf of
26 the electrical contractor.

27 **Sec. 2.** RCW 19.28.271 and 2001 c 211 s 20 are each amended to read
28 as follows:

29 (1) It is unlawful for any person, firm, partnership, corporation,
30 or other entity to employ an individual for purposes of RCW 19.28.161
31 through 19.28.271 who has not been issued a certificate of competency
32 or a training certificate. It is unlawful for any individual to engage
33 in the electrical construction trade or to maintain or install any
34 electrical equipment or conductors without having in his or her
35 possession a certificate of competency or a training certificate under
36 RCW 19.28.161 through 19.28.271. Any person, firm, partnership,
37 corporation, or other entity found in violation of RCW 19.28.161

1 through 19.28.271 shall be assessed a penalty of not less than fifty
2 dollars or more than five hundred dollars. The department shall set by
3 rule a schedule of penalties for violating RCW 19.28.161 through
4 19.28.271. An appeal may be made to the board as is provided in RCW
5 19.28.131. The appeal shall be filed within twenty days after the
6 notice of the penalty is given to the assessed party by certified mail,
7 return receipt requested, sent to the last known address of the
8 assessed party and shall be made by filing a written notice of appeal
9 with the department. Any equipment maintained or installed by any
10 person who does not possess a certificate of competency under RCW
11 19.28.161 through 19.28.271 shall not receive an electrical work permit
12 and electrical service shall not be connected or maintained to operate
13 the equipment. Each day that a person, firm, partnership, corporation,
14 or other entity violates RCW 19.28.161 through 19.28.271 is a separate
15 violation.

16 (2) A civil penalty shall be collected in a civil action brought by
17 the attorney general in the county wherein the alleged violation arose
18 at the request of the department if any of RCW 19.28.161 through
19 19.28.271 or any rules adopted under RCW 19.28.161 through 19.28.271
20 are violated.

21 (3) Electrical trainees, who are directed by their employers to
22 work unsupervised or who are left unsupervised by their employers, are
23 not subject to fines or penalties levied by the department.

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