

SENATE BILL REPORT

ESSB 5320

As Passed Senate, February 27, 2023

Title: An act relating to journey level electrician certifications of competency.

Brief Description: Concerning journey level electrician certifications of competency.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators Saldaña, Keiser, King, Randall and Wilson, C.).

Brief History:

Committee Activity: Labor & Commerce: 1/19/23, 2/07/23 [DPS, DNP, w/oRec].

Floor Activity: Passed Senate: 2/27/23, 41-7.

Brief Summary of Engrossed First Substitute Bill

- Modifies the eligibility requirements for journey level electrician certificate of competency exams.
- Allows certain trainees to work to gain the experience required for the journey level electrician certification examination without registering in an apprenticeship until July 1, 2026.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 5320 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; Robinson and Stanford.

Minority Report: Do not pass.

Signed by Senators Braun and Schoesler.

Minority Report: That it be referred without recommendation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators King, Ranking Member; MacEwen.

Staff: Jarrett Sacks (786-7448)

Background: An electrical contractor license is required to engage in the business of installing or maintaining wires or equipment to convey electric current, or equipment to be operated by electric current. To work as an electrician, an individual must have a journey level (01), or specialty electrician certificate of competency. The Department of Labor and Industries (L&I) issues licenses and certificates of competency and administers the regulation of electricians and electrical work.

Until July 1, 2023, to obtain certification as a journey level electrician, an individual must work in the electrical construction trade for at least 8000 hours to take the required examination. An applicant may substitute up to two years of certain school programs for two years of work experience. Training in the electrical construction trade in the military may also be credited as work experience. Alternatively, an individual may qualify to take the examination by completing an apprenticeship program approved by the Washington Apprenticeship and Training Council.

Beginning July 1, 2023, applicants for a journey level electrician certificate must have completed an approved apprenticeship program to take the required examination. As part of the apprenticeship, the applicant must have worked in the electrical construction trade for at least 8000 hours, 4000 of which must be in electrical installations in industrial or commercial facilities under supervision. An applicant may substitute up to two years of certain school programs for two years of work experience under an apprenticeship. Training in the electrical construction trade in the military may also be credited as work experience.

From July 1, 2023, until July 1, 2025, L&I may permit an applicant who obtained experience and training equivalent to a journey level apprenticeship program to take the examination if the applicant had good cause for not completing the minimum hours of work.

Summary of Engrossed First Substitute Bill: Beginning July 1, 2023, to be eligible for the examination for a journey level certificate of competency, an applicant must have:

1. successfully completed the work experience and education requirements of an 8000 hour electrical construction trade apprenticeship program;
 - four thousand of the hours must be new industrial or commercial electrical installations under supervision;
2. successfully completed an 8000 hour electrical construction trade apprenticeship in another jurisdiction equivalent to an apprenticeship program approved in Washington;
 - four thousand of the hours must be new industrial or commercial electrical installations;
3. an out-of-state journey level electrician certificate obtained through examination by a

- state licensing jurisdiction requiring at least 8000 hours of supervised experience in the electrical construction trade;
- four thousand of the hours must be new industrial or commercial electrical installations;
 - all experience applied toward qualifying for examination must be experience gained in the state that issued the certificate or military experience;
4. at least 16,000 hours of out-of-state experience in the electrical construction trade installing and maintaining electrical wiring and equipment;
 - four thousand of the hours must be new industrial or commercial electrical installations; or
 5. 8000 hours of experience in the electrical construction trade installing and maintaining electrical wiring and equipment while serving in a construction battalion in the armed forces.

Until July 1, 2026, L&I must permit a person issued an electrical training certificate to work to gain the experience required for the journey level electrician certification examination without registering in an apprenticeship if the trainee has 3000 hours of experience worked in the electrical construction trade or has completed a two-year training school program in the electrical construction trade. L&I must also permit these trainees to qualify for the journey level electrical examination if the applicant demonstrates 8000 hours of experience in the electrical construction trade, 4000 of which must be new industrial or commercial electrical installations.

The provision allowing L&I to permit an applicant who obtained experience and training equivalent to a journey level apprenticeship program to take the examination if the applicant had good cause for not completing the minimum hours of work is removed.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2023.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: We need a strong workforce with many electricians with good training to have high quality electricians. The bill counts hours for those currently in trainee programs and those out of state and military hours and ensures hours are counted. There is a shortage of electricians in this state and shortage of training programs. The apprenticeship bill passed half a decade ago. The bill creates three pathways for out of state workers and creates pathway for military experience and addresses gaps in previous legislation.

CON: The apprenticeship bill makes training electricians difficult. Remote training is not possible in my instances. The bill does not change accessibility for rural electricians. There should be a two year delay on the apprenticeship requirements. The bill only compounds a burdensome process. Apprenticeship requirements hurt small businesses because there is not enough capacity. The Legislature should not support fixes that do not change underlying problems. The apprenticeship approval process needs to be fixed. Apprenticeship approvals are being held up by competitor objections. People will lose their residential hours because those do not count toward grandfathering.

Persons Testifying: PRO: Senator Rebecca Saldaña, Prime Sponsor; Brad Boswell, CITC; Matthew Hepner, IBEW; Halene Sigmund, CITC; Maya Gillett, BlueGreen Alliance of WA.

CON: Hans Frederickson, Frederickson Electric, Inc.; Patrick Toby, Toby's Electric LLC; Keely Friesen; Sophia Steele, Associated Builders and Contractors; America George, Haggard Electric; Winona Ferguson, Shocking Difference LLC; Andrew Mora; Robert Perasso; Brandon Perasso.

Persons Signed In To Testify But Not Testifying: PRO: Braden Ruddock.

CON: Mike Brunelle, First Choice Electric; Erik Gaskell, All Phase Electric; Scott Smasal, Extra Mile Tech & Electrical; Adam Kemly, Kemly Electric; Ryan Haggard, Haggard Electrical Contractors; Justin Hauck; Christopher Scherer, North Wave Electric LLC; Roger Chick; Zachary Stockwell; Justin Richardson, Electri-City Inc.; Garu Thurston; Noel Mason, Beeline Electric Solutions LLC; Kevin Diefenbach, Don Kruse Electric, Inc; Gary Thurston.