

MINUTES

UTAH ELECTRICIANS LICENSING BOARD MEETING

July 16, 2009

Room 474 09:00 A.M.
Heber Wells Building
160 East 300 South
Salt Lake City, Utah

CONVENED	09:00 A.M.
ADJOURNED	11:11 A.M.
DOPL STAFF	Wayne Holman, <i>Chief Investigator</i> Dennis Meservy, <i>Bureau Manager</i> Dan S. Jones, <i>Bureau 4 Manager</i> Yvonne King, <i>Board Secretary</i> Susan Higgs, <i>Compliance</i>
BOARD MEMBERS PRESENT	Frank Rydalch, <i>Acting Chair</i> Dirk Burton Kevin Clubb Harold Weight
BOARD MEMBERS EXCUSED	David Kingery
VISITORS	Ken Adams, <i>IEC of Utah</i> Carl Brailsford, <i>JATC</i> Larry Clubb, <i>Highland Electric</i> Teri Clubb George Halliday, <i>IBEW</i> Brian Jorgensen Renee McDonough, <i>IEC of Utah</i> Michael Pennie, <i>IBEW</i> Will Pierce, <i>Salt Lake Community College</i> Karen Smith Kirk Smith Bradley Stevens, <i>Green Power Solutions</i>
OATH OF OFFICE	Kevin Clubb was sworn in as a new board member by Dennis Meservy.
MINUTES	Dirk Burton made a motion to approve the June 2009 minutes as written. Harold Weight seconded the motion and all members voted in favor.
NOMINATIONS FOR CHAIR	Weight nominated Burton as chair. Clubb seconded the motion. Weight nominated Frank Rydalch as chair.

Burton seconded the motion. Three members voted in favor of Burton and Rydalch did not vote. Burton is the new chair of the electrical board.

Burton made a motion to allow Rydalch to continue as chair to the end of the meeting. Weight seconded the motion and all members voted in favor.

COMPLIANCE

Susan Higgs presented a list of all probationers. Higgs stated three probationers were out of compliance. Higgs suggested having those individuals that do not respond to her letters come before the board. The board was in agreement.

INVESTIGATIONS

Wayne Holman reported on a company who received a citation for having unlicensed electricians. According to the company, they were using laborers that didn't need licensure, however, it was clear the laborers were doing electrical work. The citation was upheld in a recent citation hearing.

Holman said he noticed that 58-55-102 (13) (b) of the statute reads: "Electrical trade" does not include: (iii) work commonly done by unskilled labor *on* any installations under the exclusive control of electrical utilities." (iii) Previously read: work commonly done by unskilled labor *or* any installations under the... Holman said the "or" overtime was changed to an "on" and he didn't know if this was done intentionally by the state legislator. Holman said it was his opinion that this wording in this statute should be changed back to or. It was suggested by the board that if the statute was in fact opened other changes should also be made. This included the definition of supervision as it pertained to apprentices. The different definitions of supervision will be an agenda item for the next board meeting.

ADMINISTRATIVE RULE

Meservy presented the rule filing (DAR # 32717) that was going to a public hearing before the Construction Services Commission on July 29th and a letter from IEC of Utah. IEC was opposed to a curriculum of electrical study wording in the rule change. Instead they supported a program of electrical study and an exemption clause. The language they proposed: "a program of electrical study approved by the Board of Regents, Utah College of Applied Technology Board of Trustees or other out of state program that is deemed substantially equivalent as determined by the Electrical Board. Programs approved by the Electrical Board prior to January 1, 2009 remain as approved programs." This last verbiage for prior January 1, 2009 approval by the board pertained to IEC and IBEW.

Weight made a motion to amend the rule filing in the public hearing before the Construction Services Commission to the proposed IEC wording. Burton seconded the motion and all members voted in favor.

CONTINUING EDUCATION REVIEW

Construction Industry Training Council

The board after discussing the online continuing education materials for Construction Industry Training Council (CITC) indicated the submitted courses were not acceptable. The Electrical Basics covered too much HVAC and was too basic. The Low Voltage/Limited Energy is not covered by licensing in Utah. The Series Circuits and Parallel Circuit courses were first year apprentice material. The NEC update course was locate the code and fill in the blank. Burton made a motion to deny CITC as an online continuing education provider. Weight seconded the motion and all members voted in favor.

David V. Johnson

The board discussed the University of Utah continuing education taught by David V. Johnson. Burton made a motion to approve David V. Johnson as a continuing education instructor. Clubb seconded the motion and all members voted in favor.

Jade Learning

Jade Learning continuing education will be discussed in the August board meeting.

REVIEW TEST SCORES

The PSI test scores were reviewed.

TESTING PRIOR TO EXPERIENCE

The board discussed allowing students, without their work experience completed, to take their state journeyman code and theory parts of the exam as soon as they finished their apprenticeship schooling. This discussion also involved having the apprentices complete their work experience requirement prior to being allowed to take the practical part of the exam. The examination is composed of three parts; code, theory and practical. When a part is passed, but the examination has not been completed, the board talked about having a timeline on the passed parts of the examination. This will be an agenda item for the next board meeting.

DISCIPLINARY REVIEW

Brian J. Jorgensen

Brian J. Jorgensen appeared before the board requesting licensure as an apprentice. Meservy discussed with the board a proposed Memorandum of Understanding that would place Jorgensen on a probationary license.

Burton made a motion to approve the memorandum as discussed with a probationary period of four years. Weight seconded the motion and all members voted in favor. This matter will now move forward to the Construction Services Commission.

Kirk D. Smith

Kirk D. Smith appeared before the board requesting reinstatement of his apprentice license. Meservy discussed with the board a proposed memorandum of understanding that would place Smith on a probationary license. The board requested a five year probation. Smith also would have to wait a year before he could make application and test as a journeyman. In order to test, he would have to be in compliance with the terms of his memorandum and meet the journeyman licensing requirements. Burton made a motion to approve the memorandum as discussed. Clubb seconded the motion and all members voted in favor. This matter will now move forward to the Construction Services Commission.

Cameron C. Chambers

Cameron C. Chambers met the conditions of his Memorandum of Understanding and Order. Meservy discussed with the board a recommended amendment to order that would terminate Chambers probation. Weight made a motion to approve the order. Burton seconded the motion and all members voted in favor. This matter will now move forward to the Construction Services Commission.

APPLICATIONS

Out of state applications and applications with special concerns reviewed.

All business concluded meeting adjourned.

Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order.

(ss) Dirk Burton
Dirk Burton, Chair Signature

Date: August 20, 2009

(ss) Dennis Meservy
Dennis Meservy, Bureau Manager Signature

Date: August 20, 2009