

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City, UT 84114-6741
Telephone: (801) 530-6628

**BEFORE THE CONSTRUCTION SERVICES COMMISSION
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF · **NOTICE OF AGENCY ACTION**
ZACHARY KEITH YOCOM : **TO REVOKE ELECTRICIAN'S**
TO PRACTICE AS AN · **LICENSE FOR FAILURE TO**
APPRENTICE ELECTRICIAN IN THE · **COMPLY WITH TERMS OF**
STATE OF UTAH : **PROBATION, AND ENGAGING IN**
 : **UNPROFESSIONAL CONDUCT**
 :
 : Case No. DOPL-OSC-2011-383

THE CONSTRUCTION SERVICES COMMISSION TO ZACHARY KEITH YOCOM
("Respondent"):

ZACHARY KEITH YOCOM

SMITHFIELD UT 84335

UTAH STATE PRISON
Offender #

DRAPER UT 84020

The Division of Occupational and Professional Licensing ("the Division") hereby files this Notice of Agency Action to determine whether a basis exists to revoke your license to practice as a Apprentice Electrician due to your failure to comply with the terms of your probation as set forth in the Order dated November 16, 2011 and unprofessional conduct.

This action is based upon Division records and an investigation, which show that you have failed to comply with the conditions stated in the November 16, 2011 Order. As a result, you have engaged in unprofessional conduct, in violation of Utah Code Annotated Section 58-1-501(2)(a).

ALLEGATIONS SUPPORTING THIS ACTION

1. Respondent is, and at all times relevant to this proceeding has been, licensed to practice as an Apprentice Electrician. Respondent became initially so licensed on December 8, 2006

2 On November 16, 2011 the Division brought a disciplinary action against Respondent for unprofessional and unlawful conduct as a result of Respondent's criminal conduct.

3. Pursuant to the November 16, 2011 Order, Respondent's Apprentice Electrician license was revoked, a stay of enforcement was entered as to that revocation, and Respondent's license was placed on probation for five (5) years, subject to various terms and conditions That Order was based on a stipulation between the Division and Respondent.

4. Respondent subsequently committed a parole violation and was sent back to jail on November 28, 2011. Respondent engaged in additional criminal conduct and failed to immediately notify the Division of that conduct. His mother did notify the compliance specialist on December 2, 2011 that he was back in jail in violation of his criminal probation. As a result, Respondent has engaged in the following conduct, in violation of the November 16, 2011 Order:

1. Respondent failed to complete the intake process for his probation to be monitored.
11. Respondent failed to provide a copy of the Stipulation and Order to his employer within thirty (30) days for the employer to provide progress reports to the Division.
111. Respondent failed to immediately notify the Division of his new residential address, as required by paragraph t of the November 16, 2011 Order.
- iv. Respondent failed to sign up for drug analysis testing upon the request of the Division to be conducted by any company with which the Division has contracted to conduct drug testing.
- v. Respondent failed to submit documentation of attending therapy and or aftercare Respondent failed to direct therapist to submit progress reports to the Division.

v1. Respondent failed to submit documentation of attending two (2) 12-step meetings a month.

NOTICE OF INFORMAL PROCEEDING

The adjudicative proceeding designated herein is to be conducted on an *informal basis*, which means that you are not entitled to a hearing. The decision in this matter will be based upon a review of the Division records and any response filed

Within thirty (30) days of the mailing date of this notice, you are requested to file a written response with the Division. Your response may be helpful in clarifying, refining or narrowing the facts and the violation alleged herein. Your written response should be mailed to:

Division of Occupational and Professional Licensing
Attn: Dan S. Jones, Bureau Manager
160 East 300 South
PO Box 146741
SALT LAKE CITY, UT 84114-6741

You may represent yourself or legal counsel may represent you, at your own expense, while this action is pending. If you are represented by legal counsel, your attorney must file a Notice of Appearance with the Division at the address stated above. Until a Notice of Appearance is filed, the presiding officer will communicate directly with you.

Dan S. Jones, Bureau Manager, is designated as the coordinator for the Construction Services Commission ("Commission"). The Commission is the presiding officer over this informal proceeding. If you or your attorney has any questions regarding the procedures related to this matter, Mr. Jones can be contacted at the above address, or via telephone at (801) 530-6720.

At the expiration of your deadline to submit a response, and without further notice to you, the presiding officer will make an informal review of the record in this matter and determine whether you have failed to comply with the Division's November 16, 2011 Order, in violation of Utah Code Annotated Section 58-1-501(2)(a) and therefore subject you to sanctions under Utah Code Annotated Section 58-1-401(2)(a).

The maximum administrative sanction in this case is revocation of your license to practice as an Electrician

Please conduct yourself accordingly.

Dated this 20th day of December, 2011

W. Ray Walker
W. Ray Walker
Regulatory and Compliance
Officer

