



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

Division of Occupational Safety and Health
P.O. Box 44600 • Olympia, Washington 98504-4600

November 10th, 2015

Mr. Damian Hernandez, Chairman
Electrical Utility Safety Advisory Committee
c/o IBEW Local 77
PO Box 68728
Seattle, WA 98168

Dear Mr. Hernandez:

I want to thank the members of the EUSAC rules subcommittee for meeting with Joel Sacks, Maggie Leland and I on November 6th, 2015 to discuss the Chapter 296-45 WAC Electrical Workers rulemaking project. As I have said before, I appreciate how much hard work the subcommittee members have invested in this rulemaking project. Your dedication to worker safety and health is clearly evident from the time you have invested in this important rule update.

As requested this letter provides the Division of Occupational Safety and Health's (DOSH) interpretation of the definition of "qualified electrical worker" that has been developed by the EUSAC Chapter 45 rules subcommittee and DOSH staff and that will be used in the update to Chapter 296-45 WAC, Electrical Workers.

The definition of "qualified electrical employee" that will be used in the update to Chapter 296-45 WAC, says:

"Qualified electrical employee" - A person who is familiar with and knowledgeable in the construction and operation of the electric power generation, transmission, and distribution equipment involved, and such lines and/or equipment that concerns his/her position and who is fully aware of the hazards connected therewith, or, one who has passed a journey status examination for the particular branch of the electrical trades with which he/she may be connected.

- Notes:
- An employee must have the training required by WAC 296-45-065 in order to be considered a qualified electrical employee.
 - An employee who is undergoing on-the-job training (an apprentice) who, in the course of such training, has demonstrated an ability to perform duties safely at his or her level of training and who is under the direct supervision of a qualified electrical employee is considered to be a qualified electrical employee for the performance of those duties.
 - An employee having experience and training comparable to journey level would be considered a qualified electrical employee.

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The department interprets this definition to mean that the employer will determine if a worker is a “qualified electrical employee” based on the worker's training and experience. Since the definition gives options on the training and experience that can be used to consider a worker a “qualified electrical employee” the department also interprets this definition to mean that the employer is responsible for evaluating and verifying the workers training, education and experience to make sure it meets the threshold to consider the worker to be a “qualified electrical employee”.

This letter supersedes any previously issued interpretation/application letters, e-mails or other documents and communication from the Division of Occupational Safety and Health, Department of Labor and Industries.

I hope this letter clarifies DOSH’s interpretation of the definition of “qualified electrical employee”. If you have any further interpretation needs or additional questions, please contact Alan Lundeen, Senior Program Manager for the DOSH Standards, Technical and Laboratory Services Program. You can reach Alan at (360) 902-4758 or lund235@lni.wa.gov.

Again, I appreciate all the work that the members of EUSAC has performed over the years to help make Washington one of the safest states in the nation and to make your industry practices here a model for the rest of the nation.

My sincerest thanks,



Anne F. Soiza,
Assistant Director

cc: Joel Sacks, Director
Craig Blackwood, Deputy Asst. Director
Alan Lundeen, Standards and Technical Services
Bruce Christian, Statewide Compliance Manager
Lou Flores, Statewide Consultation Manager
Lezlie Perrin, Appeals, Audit & Discrimination