

STATE OF WASHINGTON
ADVISORY BOARD OF PLUMBERS

Mail correspondence to: PO Box 44470 □ Olympia, Washington 98504-4470

Meeting Minutes October 20, 2015

Board Members

Evan Conklin, Plumbing Business
Ed Holmes, Journey Level Plumber
Dave Weisbeck, Public Member
Linda Houser, Plumbing Business

Attorney General's Office

Pam Reuland, Assistant Attorney General

Department of Labor & Industries

Dean Simpson, Chief, Contractor Registration/Plumber Certification//FAS
Bruce Springer, Plumbing Technical Specialist
Jesse Jameson, Contractor Technical Specialist
Jackie Lemons, Plumber Certification Supervisor

Guests

Richard Dixon, Gold Seal Mechanical
Bill Buckingham, South West Plumbing, PHCC
Connie Buckingham, South West Plumbing
Dan King, Mr. Rooter of Spokane

Call to Order

The Advisory Board of Plumber's meeting was called to order at 9:30 a.m. on October 20, 2015.

Approve Minutes

A motion was made, seconded, and passed to approve the July 21, 2015 meeting minutes as written.

Selection of Chair and Vice Chair

A motion was made, seconded, and passed to elect Evan Conklin as the chairman.

A motion was made, seconded, and passed to elect Ed Holmes as the vice chairman.

By Laws

A motion was made, seconded and passed to accept the By Laws as written.

Plumbing Infractions/Top Violators

Bruce reported that there were 114 infractions for the third quarter of 2015, totaling \$39,750.00. Ed mentioned that there is a company on the top violator list that has over 54 infractions and questioned what the department can do about it. Bruce said that under plumbing law, Chapter 18.106 RCW, they are civil penalties and as long as they keep paying the penalties they can keep doing business.

Evan said that the way we license plumbers here, it's very difficult to find a licensed plumber. He added he would like to see the board deal with some of the enforcement issues, but it always comes down to legislative issues when it comes to licensing.

Dan said we need to figure out a way to promote our industry. He added we can't find plumbers who are willing to do service work and it's just getting worse. Dan said that we also make it difficult for plumbers that have been previously licensed in Washington to come back to this state to work. He suggested that we allow expired plumbers to get a temporary permit which would allow them to work while they are waiting to take the exam. He also suggested that they form a committee and explore a certification path for service plumbing and come up with some recommendations for changes to promote the service industry. Evan said that service plumbing is a completely different trade than construction plumbing, but it has not yet been defined. He mentioned there are currently several levels of plumber licenses and we should define the requirements for training and education for service plumbing.

Evan commented that the board has no power to make laws, as they are advisory to the department. Pam commented that the board is advisory to the department but has oversight as to the training, the written examination, and they are directly charged with giving advice to the department. She said on a proactive basis, you can ask the department to provide you with information. She said for instance, there was a question about all the penalties for one company, and whether something could be done to the contractor. She said the statute provides that a certificate of competency can be revoked or suspended if the certificate holder is deemed to be incompetent. She questioned whether a contractor with multiple infractions could have their contractor registration revoked or suspended for incompetence. She advised the board that they may want to have the department look into that.

Bruce stated that you can't get to the registered contractor through plumber certification laws. He said he has been told "no" in the past by our attorneys. The plumbing statute only deals with the individual that performs the plumbing work. He added there is no plumbing contractor under Chapter 18.106 RCW. Dean added the contractor penalties have to be based on Chapter 18.27 RCW violations. He added that we would send the board a copy of Chapter 18.27.030 RCW regarding reasons for suspension of a contractor registration.

Ed requested that the department determine what, if anything, can the department do to a contractor's registration that has been issued multiple infractions under Chapter 18.106 RCW.

Dean said we would look into it.

Discussion followed.

Fiscal Update

Dean said the fund balance is doing well and the balance as of August 2015 is \$408,000.00. He suggested that we may want to look at opening the allotment and start thinking about what we would use it for. He added it would require legislation to increase the current allotment. Dean suggested that we may want to add more full time employees (FTE's) for Compliance or Outreach. Bruce mentioned adding an employee to the Detection Tracking Unit (DTU) which monitors contractor activity on the internet. Dean said he would put this item on the agenda for the next meeting.

Discussion followed.

WAC Rules

Jackie reported that the Public Hearing will be held on November 17th at 1:00 p.m. in the Tumwater Labor & Industries building. The proposed adoption date is January 5, 2016 and the proposed effective date is March 1, 2016.

Evan asked how visible licensing would be enforced. He suggested that we use some of the allotment to notify the public of this new requirement. Dean said there is an opportunity through our Outreach Program to put out some public service announcements on plumbing. He added that the first year will probably be education and getting the word out there that they need to comply. Evan requested that visible licensing enforcement be added as an agenda item for the next meeting.

Plumbing Legislation/Increasing Penalties

Ed said he has been working on legislation which includes:

- Increasing fines by doubling them
- Expanding the authority of the Advisory Board
- Adding two non-voting positions to the board, one from the Dept. of Health and one from IAPMO
- Adding a plumbing contractor certification under Chapter 18.106 RCW

Ed added that we're all in this together and we need to work together to get this accomplished.

Discussion followed.

New Business

Dean mentioned that Idaho is now allowing only Washington plumbers who have completed an apprenticeship program to reciprocate their licenses to Idaho. He stated that he and Bruce are

going to meet with Idaho to discuss this change. He added that he would have more information at the next meeting.

Pam reported that she confirmed that the Administrative Law Judge (ALJ) per 18.106.270 (2) may waive, reduce, or suspend the monetary penalty imposed for the infraction for good cause shown. She stated that it would require legislation to change.

Motion to adjourn.