

DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

ELECTRICAL BOARD MEETING
TRANSCRIPT OF PROCEEDINGS
(Via Skype)
January 28, 2021
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Taken Before:

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1 BE IT REMEMBERED that an Electrical Board
2 meeting was held on Thursday, January 28, 2021, via
3 Skype, at 9:02 a.m., before CHAIRPERSON JASON JENKINS;
4 BOARD MEMBERS DAVE WARD, RYAN LaMAR, IVAN ISAACSON,
5 ERICK LEE, KERRY COX, MIKE NORD, DYLAN CUNNINGHAM, DON
6 BAKER, ALICE PHILLIPS, TRACY PREZEAU; TECHNICAL
7 SPECIALIST ROD MUTCH, TECHNICAL SPECIALIST LARRY VANCE,
8 SECRETARY MOLESWORTH, and DEPUTY DIRECTOR FOR FSPS
9 ANNETTE TAYLOR. Also present was ASSISTANT ATTORNEY
10 GENERAL PAM THOMURE, representing the Board, and
11 BETHANY RIVERA, Board assistant;

12 WHEREUPON, the following proceedings
13 were had, to wit:

14

15 <<<<<< >>>>>>

16

17 CHAIRPERSON JENKINS: I would like to open
18 our State of Washington Electrical Board meeting for
19 January 28th. It is now 9:02. I can bring the meeting
20 to order.

21 And as I kind of mentioned earlier, if you're on --
22 if you have access to the system, please mute your
23 mics. If you're on the Skype platform, it's usually a
24 simple click. If you happen to be on the phone, please
25 -- I think it's pound -- or actually, I think it's star

1 6. Please mute your mics unless you're intending to
2 speak.

3 Also, if you plan on speaking, just for the court
4 reporter's help, please announce who you are first. If
5 you do not happen to be a board member working on this,
6 please speak and spell your name, also, so that we can
7 keep a good record of who's speaking.

8 Another note is that all the chats box that is a
9 part of Skype, that is not part of the official record,
10 so be aware of that. If you need to make statements as
11 part of our official record, it needs to be done
12 verbally.

13 And I believe that will get us to roll call. So
14 if I could have the board members please unmute your
15 mics, I'll go down the list, and we'll see who all is
16 here today.

17 So Board Member Alice Phillips?

18 BOARD MEMBER PHILLIPS: Here.

19 CHAIRPERSON JENKINS: Board Member Erick Lee?

20 BOARD MEMBER LEE: Here.

21 CHAIRPERSON JENKINS: Board Member Don Baker?

22 BOARD MEMBER BAKER: Here.

23 CHAIRPERSON JENKINS: Board Member Ivan

24 Isaacson?

25 BOARD MEMBER ISAACSON: Here.

1 CHAIRPERSON JENKINS: Board Member David
2 Ward?
3 Board Member --
4 BOARD MEMBER WARD: Here.
5 CHAIRPERSON JENKINS: Oh, David Ward, was
6 that you?
7 BOARD MEMBER WARD: Yes, here.
8 CHAIRPERSON JENKINS: Perfect. Thank you.
9 Board Member Dylan Cunningham?
10 BOARD MEMBER CUNNINGHAM: Here.
11 CHAIRPERSON JENKINS: Board Member Bobby
12 Gray?
13 Ms. RIVERA: Bobby Gray and John Brickey
14 are -- are not able to attend.
15 CHAIRPERSON JENKINS: Board Member Dominic
16 Burke?
17 (No audible response.)
18 Board Member Tracy Prezeau?
19 BOARD MEMBER PREZEAU: Here.
20 CHAIRPERSON JENKINS: Board Member Mike Nord?
21 BOARD MEMBER NORD: Here.
22 CHAIRPERSON JENKINS: Board Member Kerry Cox?
23 BOARD MEMBER COX: Present.
24 CHAIRPERSON JENKINS: Board Member Ryan
25 LaMar?

1 BOARD MEMBER LaMAR: Here.

2 CHAIRPERSON JENKINS: And our Board Member
3 John Brickey has been excused.

4 And then the secretary to the board Wayne
5 Molesworth?

6 SECRETARY MOLESWORTH: Here.

7 CHAIRPERSON JENKINS: And our AAG Pam
8 Thomure?

9 Is that you?

10 AAG THOMURE: Can you hear me now?

11 CHAIRPERSON JENKINS: There you go. There
12 you are. Awesome.

13 AAG THOMURE: I'm trying to get my camera to
14 turn around. I've got it backwards. So that's why I'm
15 not on video.

16 CHAIRPERSON JENKINS: Okay.

17 AAG THOMURE: I'll work on that.

18 CHAIRMAN JENKINS: Thank you very much.

19 As a sidenote, I think I mentioned this most -- to
20 most of us earlier. But if you are speaking, I'd
21 appreciate if you have your cameras on, if available,
22 at the minimum. But if you can't, I totally understand
23 if it's a bandwidth issue. It's nice to have this as
24 close to an in-person meeting as possible. But there
25 might be some limitations there.

1 So looks like we do have a quorum. And I want to
2 say thank you for everyone attending. I do appreciate
3 everyone being here and taking your time to do this.

4 Next thing we need to do is need to cover our
5 agenda. And I'm assuming, as last time, the safety
6 message is meant for when we're in person.

7 And so I move on to Agenda Item No. 2, which is
8 the approval of transcripts from the October 29, 2020,
9 electrical board meeting. And the board would
10 entertain a motion to approve those minutes.

11 BOARD MEMBER NORD: Board Member Nord,
12 motion.

13 CHAIRPERSON JENKINS: We have a motion.
14 Do we have a second?

15 BOARD MEMBER PHILLIPS: Board Member Alice
16 Phillips, second.

17 CHAIRPERSON JENKINS: We have motion, and we
18 have a second.

19 Any discussion?

20 Hearing none, all in favor, please indicate by
21 saying "aye."

22 (Chorus of ayes.)

23 CHAIRPERSON JENKINS: Any opposed?

24 (No audible response.)

25 CHAIRPERSON JENKINS: Motion passes.

1 Moving on to the -- I have No. 3, the appeals. I
2 just want to let the board members know, to maintain a
3 good record, we actually got some correspondence in the
4 meeting between -- the October meeting and now for a
5 motion of continuance for appeal of Mr. Electric of
6 Clark County and the Department of Labor and
7 Industries. Based upon our previous allowances for the
8 continuances due to access of certain material and --
9 the Department of Labor requested to continue to the
10 April meeting. I granted that. And so that will be on
11 our next board meeting of April 2021. So that's why we
12 don't see it on our list.

13 Currently our Berst case, Wayne Berst, his appeal
14 actually is request for reconsideration. He had
15 applied for a request for reconsideration in what we
16 deemed, after discussion with our AAG, that it was done
17 in a timely manner. And so we're going to be pushing
18 that off, due to a -- unfortunately, he was not
19 notified for the January meeting. So the information
20 was not sent out in a timely manner to get him the
21 information -- us the information that he was going to
22 be having a request for reconsideration for the January
23 meeting. So that will put also into even --
24 rescheduled that for April also. So that is why our
25 appeals -- we -- we moved those off.

1 Does that sound all correct, Pam?

2 AAG THOMURE: It does.

3 CHAIRPERSON JENKINS: I'm trying to summarize
4 it and keep it simple.

5 The next item on our agenda is
6 Departmental/Legislation update with Rod Mutch.

7 Rod Mutch, are you available?

8 TECHNICAL SPECIALIST MUTCH: I am.

9 CHAIRPERSON JENKINS: Awesome.

10 TECHNICAL SPECIALIST MUTCH: How is my audio,
11 Jason?

12 CHAIRPERSON JENKINS: It is perfect for me.

13 TECHNICAL SPECIALIST MUTCH: Okay.

14 CHAIRPERSON JENKINS: The floor is yours.

15 TECHNICAL SPECIALIST MUTCH: So good morning,
16 everyone. My name is Rod Mutch. I am a technical
17 specialist with the department, and I'm tasked with
18 giving you the legislative update. And the agenda
19 contains four items that I'll talk about, but first I
20 want to start with legislative issues. I'm going to
21 share my screen, just for the convenience of the board
22 members watching. Everything I put up is going to be
23 matter of public record, anyway. It's either in the
24 board packet or I'm going to show a web page, and I'll
25 describe those. But just a second here.

1 And I'm going to -- first thing I'm going to put
2 up is the two bills that are presently before the
3 Legislature that concern the electrical program. And I
4 just want to touch on briefly, just so that the board
5 members have a sense of what's going on with
6 Legislature.

7 Can you see my screen that there's a Legislation
8 Update document, Jason?

9 CHAIRPERSON JENKINS: Yes. We are good to
10 go.

11 TECHNICAL SPECIALIST MUTCH: Okay. So the
12 Legislature began its session January 11th. And I
13 believe they're scheduled to go until April 25th this
14 year.

15 So far there are two bills that affect the
16 electrical program. The first bill is Senate Bill
17 5267, and this is a bill that requires electrical
18 licensing and certification for electrical associated
19 with flipping property. This bill was -- there was a
20 hearing on this bill before the Senate Committee.
21 Currently the language is similar to what we presented
22 to the board in a rulemaking (interruption in
23 transmission) earlier. It is determined that we don't
24 have -- the department doesn't have legislative
25 authority, statutory authority to do this in rules, so

1 this was presented to the Legislature. It requires
2 licensing -- electrical contractor licensing and
3 certification for electrical work if the electrical
4 work is done on property that is offered for sale
5 within two years of obtaining the property. There may
6 be some changes to that language according to the
7 testimony at the hearing. There was a request to
8 reduce that two-year period to a one-year period. The
9 intent of this legislation is to require those -- those
10 entities that are in the business of obtaining and
11 upgrading and improving property and selling it quickly
12 to be licensed electrical contractors. So this --
13 reducing that two-year period to a one-year period, I
14 believe, would catch most of the businesses that are
15 flipping property. So that may change. You can -- you
16 can monitor these on our website if -- and in the
17 Electrical Currents Newsletter, coming out here in a
18 couple of days. The February newsletter will also have
19 an update.

20 The other bill is House Bill 1187, and this would
21 allow the 06a and 06b HVAC specialty contractors to
22 install the branch circuit wiring between the outdoor
23 indoor unit of a split system HVAC system. So this
24 also had a hearing, and Board Member Don Baker
25 testified at the hearing, so there was representation

1 of the Electrical Board there.

2 So this was -- this proposal has been brought up
3 several times during rulemaking, and the department has
4 never adopted this proposal. But now it is a
5 legislative proposal to go into the RCW, which would --
6 it would amend the work scope. It would leave in place
7 the current work scope in rule, but it would add to the
8 work scope to allow to HVAC speciality contractors to
9 install, repair, replace, or maintain branch circuits
10 between the outdoor and the indoor unit of a split
11 system. And that's really the only two bills currently
12 that are before the Legislature that would affect the
13 program.

14 Any questions on those?

15 Okay. I want to move on to Item A, 4(a) on the
16 agenda. So the department, in November -- actually, at
17 the last board meeting in October, if you read the
18 minutes of the board meeting, we discussed the
19 amendments that we were proposing to make to the GFCI
20 protection requirements in the 2020 NEC. Those
21 amendments, we asked for, you know, comment from the
22 board members at that time. There are two provisions
23 that we are extending until January 1, 2023. And in
24 the October meeting, I mentioned that we had received a
25 letter from the National Electrical Manufacturers

1 Association, requesting that we reconsider those
2 amendments.

3 Since -- since the board meeting, and after we
4 published this article in the Electrical Currents
5 Newsletter in November, we have received three more
6 requests to reconsider these amendments. One was from
7 Eaton Corporation. Another one was from Snyder
8 Electric. And another one was from a concerned
9 citizen. All expressed concern that the department was
10 adopting a policy that was a lower safety standard than
11 the NEC requires that had been through the process.

12 I explained in October that the NFPA had received
13 and was considering tentative interim amendments, TIAs,
14 to both of these proposals. The first one, which
15 concerns NEC 210 AF, would require -- the NEC actually
16 requires GFCI protection for outdoor outlets. This
17 would -- this would include any outlets 120 volt or 250
18 volt through 250 amp outdoors to have GFCI protection.
19 So that would include HVAC units, septic pumps, and
20 those kinds of things. The TIA proposal was considered
21 by NFPA, and it -- and it failed.

22 But the department felt that that -- that it was
23 close. It was actually approved by Code-Making Panel
24 2. And it went to the -- it went to the Correlating
25 Committee. The Correlating Committee agreed that the

1 substantiation was -- was correct. And the
2 substantiation was that certain types of equipment have
3 greater leakage current than a Class A GFCI device. So
4 for example, the TIA excluded split system HVAC units
5 that have -- that use the inverter technology, and
6 other equipment that uses technology that allows
7 greater leakage current than a Class A GFCI device.
8 The Correlating Committee agreed with that
9 substantiation. But what they did not agree with was
10 that the provision was an emergency and needed to go
11 into a TIA.

12 So the department felt that we would go ahead with
13 this amendment and give the manufacturers and the
14 testing labs a chance to either correct the
15 compatibility issue that exists or to see what the
16 proposal would be in the 2023 NEC. The 2023 NEC is set
17 to be published, probably, in the fall of 2022. So
18 this -- this provision would extend that delay
19 enforcement of that requirement until January 21, 2023.

20 The other provision is -- has to do with
21 210.8(A)(7). And this is the provision that expanded
22 GFCI protection to not only 120 volt receptacles but
23 also 250 volt, 30 and 50 amp receptacles. This would
24 require GFCI protection, (A)(7), within six feet of a
25 sink for any receptacles that fall into that category.

1 So it would include an electric range.

2 This also was the subject of a tentative interim
3 amendment that was considered by the NFPA. The NFPA
4 Code-Making Panel rejected this TIA. I believe the
5 vote was four in favor of it, and eight opposed to it.

6 We had received, previously, lots of comments from
7 our inspectors in talking with -- with contractors and
8 electricians out in the field concerned about this
9 proposal, and we felt that we would give -- extend and
10 delay enforcing this proposal, similar to the proposal
11 in 210 AF, because of the controversy and the --
12 allowing more time for the manufacturers of the
13 equipment to get their equipment so that it would be
14 compatible with GFCI protection. The rejection of the
15 TIA was actually opposed and appealed to the Standards
16 Council by a manufacturer of appliances. And the
17 Standards Council denied that appeal.

18 So at this point the department is -- has delayed
19 both of these requirements until January 21, 2023. But
20 in light of the requests from NEMA, Eaton Corporation,
21 Snyder Electric, and the concerned citizen, we thought
22 that we would bring this back to the Electrical Board
23 and give the Board the opportunity to weigh in on their
24 opinion about our amendments. And so I'd like to just
25 open it up right now if anyone has comments or an

1 opinion about whether or not you agree with our
2 amendments or not. So I'm open for comments from the
3 board members.

4 CHAIRPERSON JENKINS: Board Member Jason
5 Jenkins. I'd like to -- I've always been on the side
6 of safety, as far as keeping things more safe, as you
7 remember back when we actually had this discussion
8 about the docks and things like that. So I'm going
9 to -- you know, my opinion would be that it doesn't get
10 delayed. But that's just a -- I don't really have
11 really strong, super strong it just needs to be put in
12 place right now. But I'm always on the side of safety.
13 If it can be put in place, it needs to be put in place.
14 So that's my opinion.

15 Any other board members have any opinions on this?

16 BOARD MEMBER BAKER: Board Member Baker. I
17 have a question for you, Rod, just to help me
18 understand a little bit here. There's a difference
19 between a receptacle and an outlet. And I'm wondering
20 if a range, for example, if it's hardwired rather than
21 having a receptacle, would not be required to be GFCI
22 protected. Am I interpreting that correctly?

23 TECHNICAL SPECIALIST MUTCH: You are.

24 So there's two -- two proposals here. 210 AF
25 refers to outdoor outlets. So the outdoor one is any

1 outlet. And you'll know the definitions from the NEC
2 of an outlet is the point branch circuit where the
3 equipment receives its supply. So it doesn't have to
4 be a receptacle. The outdoor equipment connected to
5 the branch circuit is an outlet and would require GFCI
6 protection. That's different for the 210.8(A)(7)
7 requirement. The requirement in (A)(7) requires GFCI
8 protection for receptacles within six feet of a sink.
9 So a hardwired range within six feet of a sink would
10 not require GFCI protection under the 2020 code. But
11 if it were plugged into a receptacle, it would require
12 GFCI protection.

13 Does that answer your question?

14 BOARD MEMBER BAKER: Yeah, that's the way I
15 interpret it. I just wanted to make sure there wasn't
16 a typo there, or we were miscommunicating using the
17 word "receptacle" or we intended to use the word
18 "outlet."

19 TECHNICAL SPECIALIST MUTCH: Yep.

20 BOARD MEMBER BAKER: Thank you.

21 TECHNICAL SPECIALIST MUTCH: Mm-hmm.

22 BOARD MEMBER ISAACSON: This is Board Member
23 Isaacson. I've got mixed emotions about this. The
24 appliance manufacturers have been causing problems with
25 arc fault breakers for quite some time, and they don't

1 feelings one way or the other about this, I suppose,
2 you know, the board members could go that route. And
3 I'm just kind of leaving it up to the board.

4 CHAIRPERSON JENKINS: Thank you.

5 BOARD MEMBER BAKER: So Board Member Baker
6 here again.

7 Rod, is the department's concern that by
8 implementing these -- these code revisions that we're
9 going to create challenges within our industry because
10 we're going to be dealing with a lot of nuisance
11 tripping? Is that -- is that what your concern is? Is
12 that what I'm hearing?

13 TECHNICAL SPECIALIST MUTCH: That's -- that
14 would be the main concern from our stakeholders.
15 Implementation of the outdoor outlet GFCI requirements
16 would certainly, I believe -- well, and from the
17 feedback we received from stakeholders -- cause
18 nuisance tripping for those types of split systems that
19 use the power conversion technology. They would trip
20 the GFCI. And if they did, there is no remedy for
21 that. If the -- you know, if the 2020 NEC isn't
22 enforced, and you have a piece of equipment that will
23 not hold on a GFCI, there's no remedy. You -- you must
24 replace the equipment. So I don't -- I don't know of a
25 remedy for that.

1 In the case of the receptacles within six feet of
2 a sink, that was focused primarily on ranges in the
3 kitchen. And the TIA described a situation where the
4 element in a range would draw moisture, and there would
5 be enough leakage to trip a GFCI device. So if there
6 could be a new piece of equipment that is not
7 compatible with GFCI protection, in that case the
8 department would be in a position of enforcing an NEC
9 requirement that is -- and the equipment is not
10 compatible with it. So that's the concern.

11 BOARD MEMBER BAKER: With the range example,
12 I think the industry would correct that by simply
13 hardwiring all their ranges and JennAir cooktops and
14 what have you. They would just -- if that would even
15 be legal for them to do that. They can't alter the
16 manufacturer's design, but they could change their
17 installation method and go from a receptacle to just an
18 outlet and -- but for the exterior --

19 Yeah, I don't know. Is there any other board
20 members that have any knowledge of the industry that
21 know if manufacturers have created anything within the
22 manufacturing system to alleviate the nuisance
23 problems? Because I agree with Rod, there probably --
24 these probably will create some nuisance problems.

25 I don't hear any board members jumping on that.

1 Rod, has any other department, do you know,
2 throughout the -- the country extending these the way
3 that you're proposing that we do?

4 TECHNICAL SPECIALIST MUTCH: I -- I don't
5 know that. I know there have been some -- quite a few
6 of these requirements Oregon has not adopted. But I --
7 specifically these two, I don't -- I don't know the
8 answer to that.

9 BOARD MEMBER PREZEAU: And Rod, this is
10 Tracy Prezeau.

11 And, Don, I -- I don't have an answer to your
12 question about experience with the equipment.

13 But my question for you, Rod, is, I know that you
14 just detailed for us the process that these --
15 particularly 210.8(A)(7), if I was heard -- if I was
16 listening correctly -- went through with the code
17 panels. There seems to be, from what -- if I'm
18 understanding your summary correctly, even within the
19 code panels themselves, there's some contention around
20 this -- around this NEC article.

21 Am I hearing that correctly?

22 TECHNICAL SPECIALIST MUTCH: Yeah. So when
23 they considered the tentative interim amendments, they
24 considered all of the substant- -- (interruption in
25 transmission) -- substantiation votes required on a TIA

1 requires a -- I believe it's a 75-percent vote. For
2 the 210.8(F) the correlating committee agreed that
3 this -- with the substantiation that this is a problem.
4 What they didn't agree with was that it was an
5 emergency enough to delay this and adopt the TIA now.
6 So there were two votes. The substantiation they
7 agreed with. The emergency provision they didn't agree
8 with. And that vote was 8 to 3. It failed by one
9 vote. If -- if it was a 9-to-2 vote, the TIA would
10 have been adopted. So as I described the 210.8(A)(7)
11 vote, it was four of the code-making panel members
12 agreed with the TIA; eight of them opposed it. So it
13 failed to pass the code-making panel. So, yes, there
14 is some, you know, controversy among the code panel
15 members and among the correlating committee. So that's
16 true.

17 BOARD MEMBER PREZEAU: Thank you again, Rod.

18 And, you know, obviously -- well, not obviously.
19 But, you know, I appreciate Chair Jenkins' comments
20 about, you know, obviously the thrust of our work is to
21 ensure safe electrical installations, and safety of the
22 public for the folks that utilize or come in contact
23 with those.

24 But given -- you know, given that there doesn't
25 seem to be -- that the code panels recognize this is a

1 problem, but don't necessarily agree that it is an
2 emergency, or that they can see a clear path forward, I
3 feel like we are in incredibly good company as the
4 Electrical Board and the department in consideration of
5 these -- of delaying the implementation of these new --
6 this, you know, new code language. Because it seems
7 that everybody recognizes there's a problem, but nobody
8 actually understands what the solution is. And so
9 using common sense, potentially, the solution is -- I
10 agree with the department -- right? -- is let's -- you
11 know, let's possibly delay the implementation.

12 I certainly appreciate and heard Board Member
13 Isaacson's comments, which I greatly appreciate coming
14 from the manufacturer representative. I think the
15 department is on the right track of delaying the
16 implementation because of the controversy and because
17 of the -- because of the situation; right? Appropriate
18 for the situation. So thank you.

19 BOARD MEMBER BAKER: This is Board Member
20 Baker. I would support Tracy's comments there. And I
21 would add that I think there's precedence, for the
22 department over the years, for extending these.
23 Sometimes we've got to wait for the industry
24 manufacturers to catch up to the code.

25 I agree that safety should be a priority. But

1 when we implement things that if the industry is not
2 ready for, the workaround that the rank and file, the
3 contractors, will do to resolve the problem sometimes
4 can create other safety issues. So implementing this
5 and giving the manufacturers a chance to catch up and
6 letting -- letting the industry know that these are
7 coming, we are going to implement them, will give the
8 people the opportunity to come up with the correct safe
9 ways of implementing these codes rather than having
10 people figure out workarounds.

11 So I would -- I would -- along with Tracy I would
12 support the recommendation from the department to
13 extend these.

14 TECHNICAL SPECIALIST MUTCH: So I have a
15 lifeline here. I was asked a question about other
16 states. And technical specialist Larry Vance let me
17 know that nine states have adopted the 2020 NEC
18 currently. And 27 states are still on the 2017 NEC.
19 Eight are on the '14, and two are still on the 2008.
20 So it's all over the board, but it looks like there are
21 nine states that have adopted the 2020 NEC. We're one
22 of them. So that -- that answers that question.

23 BOARD MEMBER BAKER: Well, kind of, but --
24 Board Member Baker again. I was asking specifically
25 has any other states pulled these two sections of the

1 code out and extended them, you know, to the next code
2 cycle, which we're proposing to do.

3 TECHNICAL SPECIALIST MUTCH: Yeah, I don't
4 know the answer to that question.

5 BOARD MEMBER CUNNINGHAM: We're talking about
6 210.8(A)(7), and I'm looking at the code book at
7 210.8(B)(7). Pretty much the same requirements occur,
8 but it's for other than dwelling units.

9 So we're looking at making a special carve-out for
10 the residential sector?

11 TECHNICAL SPECIALIST MUTCH: Yes. So when we
12 proposed this, we -- we went with pretty much exactly
13 what the -- what the tentative interim amendment
14 proposal was before the NECA -- NFPA that they were
15 considering.

16 BOARD MEMBER CUNNINGHAM: Okay.

17 TECHNICAL SPECIALIST MUTCH: And that
18 involved the residential only.

19 BOARD MEMBER CUNNINGHAM: All right. Thanks.

20 CHAIRPERSON JENKINS: Chair Jason Jenkins.
21 I'm just -- you know, I'm kind of on the fence. You
22 know, I'm always on the safety side. But considering
23 the information that's been given, especially that the
24 outdoor units really don't have a fix if something is
25 not working. The kitchen one I -- I'm agreeing with

1 Board Member Don that with the idea that, yeah, they
2 could hardwire it to get around a condition. But, you
3 know, I kind of changed my tune a little bit and say,
4 you know, maybe it is appropriate in this case to
5 possibly push this off to the -- delay this enactment.

6 And if you're interested, a board member would
7 entertain motion if anybody feels the need.

8 TECHNICAL SPECIALIST MUTCH: Jason, let me
9 say one thing more having to do with the outdoor
10 outlets. The TIA expressly excluded split system units
11 and units that use the power conversion technology.
12 The TIA did not exclude standard HVAC units or other
13 outlets. So the department's amendment includes all
14 outdoor. So the department's amendment is a more
15 restrictive per -- a little more permissive than what
16 the TIA was. So I just wanted to get that out in too.

17 CHAIRPERSON JENKINS: Thank you.

18 BOARD MEMBER BAKER: If -- this is Board
19 Member Baker. If I make a proposal to accept the
20 department's amendment as it's written, is there enough
21 clarity for everybody to support that? Or do we need
22 to have more clarity than just saying we're going to
23 support the department's amendment?

24 TECHNICAL SPECIALIST MUTCH: So -- so the
25 department's amendment was published in the November

1 2020 Electrical Currents Newsletter. And so you could
2 reference if you want to be more accurate.

3 BOARD MEMBER BAKER: Okay. So I would
4 propose that we support the department's amendment as
5 written in November two thousand and -- did you say
6 twenty? -- newsletter as it is written.

7 AAG THOMURE: Is that a motion?

8 BOARD MEMBER BAKER: Yeah.

9 CHAIRPERSON JENKINS: So we have motion on
10 the table for the board members to approve the
11 intention of the department to move -- the newsletter
12 from November 2020. And I really botched up that way
13 of saying that.

14 But does everyone understand the motion that's on
15 the table? Anybody have any question on that?

16 BOARD MEMBER PREZEAU: Chair Jenkins, this is
17 Board Member Prezeau. I would second Don Baker's
18 motion to uphold the department's position as expressed
19 in the November 2020 Electrical Currents Newsletter
20 regarding delay of adoption of two specific NEC code
21 requirements.

22 CHAIRPERSON JENKINS: Thank you very much. I
23 really appreciate you being here.

24 So we have a motion, and we have a second.

25 Do we have any discussion?

1 looks at the costs of doing business for the state, and
2 how -- how -- what that would take to maintain that
3 level of cost. So in each year, they come up with a
4 fiscal growth factor for that. Agencies are allowed to
5 raise fees each year based on the fiscal growth factor.
6 To go higher with fees than what that is published
7 takes legislative approval.

8 So the department has been pretty good, pretty
9 efficient with use of funds. And the last time we
10 raised fees based on the fiscal growth factor was
11 January 21, 2017. Prior to that, I believe, the last
12 fee increase before that was 2012. So we have not
13 increased -- we have not kept the fees in line with the
14 fiscal growth factor, which is what OFM says an agency
15 needs to do to maintain their level of service. We
16 haven't done that for a variety of reasons. You know,
17 possibly efficiency. But our -- our revenue has kept
18 up, but we have seen an increase, quite an increase in
19 expenditures. So we believe that the fiscally prudent
20 thing to do right now would be to increase those fees
21 by the fiscal growth factor.

22 We haven't filed the rulemaking documents. We're
23 still discussing that internally. So that will be --
24 more information will come, probably in a newsletter,
25 the Electrical Currents Newsletter, but that's

1 something that we're considering doing.

2 Any comments on that?

3 CHAIRPERSON JENKINS: Chair Jason Jenkins. I
4 don't think anybody likes the increase of cost, but I
5 think this -- this situation, I think this is an
6 appropriate move because, you know, we all have to look
7 at cost of living, per se. In this case here, it's
8 kind of the cost of living for the -- for the
9 department. So I totally get it, and I'm in agreement
10 with it.

11 TECHNICAL SPECIALIST MUTCH: There's no
12 action we need to take now. It's just information of
13 what's on the horizon.

14 BOARD MEMBER COX: Board Member Kerry Cox
15 here. Rod, you mentioned 2022. Are we looking to take
16 this fiscal growth factor and do these fee increases
17 for 2022? Or are we looking at doing this in this year
18 of 2021?

19 TECHNICAL SPECIALIST MUTCH: If -- if we go
20 through with this, it would -- we would shoot for the
21 fees to increase in 2021. So probably July of 2021.
22 What OFM does is they look out a little bit farther,
23 and they project what they believe the growth factor
24 would be for 2022. And that's the latest published
25 fiscal growth factor that OFM has. And that's what

1 we're -- we're allowed to go with. So that's -- the
2 fees -- the fees will get implemented in 2021, but the
3 effect would be for the 2022 budget.

4 BOARD MEMBER COX: Okay. So new fee -- so if
5 my license renewed August of 2021, I would see that
6 nearly 6 percent increase in my license cost in August.

7 Is that what I'm hearing, Rod?

8 TECHNICAL SPECIALIST MUTCH: Correct. The
9 fees -- if we -- if we were able to implement and get
10 through the rulemaking process in time, we would shoot
11 for implementing them July 1st of 2021. So yes, if
12 your license expires in August, it would see the
13 increase in fee. Now, what you could do is you can
14 renew your certificate up to 90 days before its
15 expiration date. So that's an option too.

16 BOARD MEMBER COX: Right. That's -- that's
17 the reason I mention in August. Okay. Thank you for
18 the clarification.

19 TECHNICAL SPECIALIST MUTCH: You bet.

20 BOARD MEMBER PREZEAU: And board -- Technical
21 Specialist Mutch, this is Board Member Prezeau. I just
22 wanted to make sure I'm grabbing this. So this is --
23 basically, this agenda item is giving the Electrical
24 Board members a heads-up of the department's intention
25 of initiating rulemaking around a fee increase

1 consistent with OFM's cost increase. And so obviously
2 that gives the industry the opportunity -- and
3 concerned stakeholders to weigh in on that process. So
4 this is basically for information only. And should the
5 department move forward to initiate the rulemaking, the
6 board will have significant opportunity to then weigh
7 in on it and take this under consideration.

8 TECHNICAL SPECIALIST MUTCH: Yes, that's
9 correct. So if the department decides to do -- go into
10 the rulemaking process, the CR-101 is the first step,
11 and that notifies stakeholders of the process. The 102
12 gives the rule language, which would slow the increase
13 in the -- well, the fees in the proposal. And it also
14 gives stakeholders the opportunity to make comments.
15 We would hold a public hearing, and we would also get
16 the board's advice before we went forward with that.

17 BOARD MEMBER PREZEAU: Perfect. Yep, I just
18 wanted to give you the opportunity to highlight the
19 process. And no one likes the increases -- right? -- I
20 think, across the board. But I'm just pleased that you
21 gave us the history that the last fee increase was
22 January 1, 2017, and before that it was 2012. Always
23 applauded the department's ability to keep a tight
24 control on cost increases. Obviously the last year has
25 shown us some unprecedented challenges and

1 opportunities. So we'll look forward to seeing how the
2 process plays out.

3 TECHNICAL SPECIALIST MUTCH: All right.
4 Thank you.

5 If there's no other comments on that, I think I
6 can move to Item 4(c). This one we'll just touch on
7 briefly. The substitute Senate Bill 6126 was the bill
8 that passed requiring apprenticeship completion for
9 journey level applicants. And there's a provision in
10 there that's now in the RCW. It's RCW 19.28.195. When
11 the apprenticeship requirement is implemented on July
12 1, 2021, this provision gives the department a two-year
13 period to consider equivalent training to the
14 apprenticeship for a person that didn't complete the
15 apprenticeship. That's a little bit vague, but it's
16 very vague in the RCW. And so we would -- we will
17 implement rulemaking to clarify that. So the chat, you
18 can see the links there to RCW 19.28.195 and the
19 apprenticeship bill. This may be the -- I'm sure it
20 will be the subject of discussion. We have an
21 apprenticeship subcommittee that, I believe, Jason
22 Jenkins is the chair of that subcommittee.

23 And this is another potential rulemaking that's on
24 the horizon that we -- we don't need to have action on
25 it now. But I would encourage the board members to do

1 a little bit of reading and look at this and be
2 thinking about what -- what your thoughts are about how
3 the department should implement the requirements for in
4 that two-year -- how would we evaluate what is an
5 equivalent apprenticeship program, or an equivalent
6 (audio distortion) and the reasons for a person not
7 being able to complete the apprenticeship program. So
8 that's just something that's on the horizon.

9 And if there's any comments from board members, I
10 would allow board members to comment on that as well.
11 Okay. That's just something that's on the horizon.

12 The next item is 4(d). This is the rulemaking
13 update. So the department received a petition for
14 rulemaking for WAC 294-46B-995 from -- actually from
15 the Electrical Board. The -- the previous chair, Tracy
16 Prezeau, and the board AAG, Pam Thomure, worked
17 together to develop the language. It's in your board
18 packet. You can pull up the proposed changes to WAC
19 995. And this is the WAC that specifies how parties
20 conduct -- how the board conducts appeals, and how
21 parties can -- you know, the requirements for
22 presenting an appeal to the board. It's always been a
23 little bit confusing. And I believe Tracy and Pam have
24 come up with some improvements to the -- to the rules
25 that make it more usable, user friendly.

1 So the status of this rulemaking is we have filed
2 the CR-101, which notifies the stakeholders that we are
3 doing -- are considering the rules. We have not filed
4 the 102 yet. That's -- that's scheduled for March.

5 The language has been going back and forth between
6 the department and the AAG for the board, and also our
7 AAG Nancy Kellogg for the department. We're trying to
8 take our time on this and get it correct rather than --
9 you know, we're having -- we're getting lots of
10 comments from the AAGs, and clarification, and we still
11 have some work to do on that.

12 So I would just let the board know that we are
13 working on the language. Once we get the language
14 completed to where the department and the AAGs agree
15 that it's good language, we would file the 102, which
16 would publish the language, notify the stakeholders of
17 the public comment period. And probably at the April
18 board meeting we would ask for an action from the board
19 to give the department advice on this rulemaking.

20 So if you have concerns about that, take a look at
21 the markups in your board packet to that rule. And you
22 can probably give those comments to Jason, myself, or
23 Pam. So unless there's comments about that, that
24 concludes what I have to talk about.

25 CHAIRPERSON JENKINS: This is Chair

1 Jason Jenkins. I want to say thank you very much, Pam,
2 Tracy, and the department. It is looking really good.
3 I'm really impressed with the way it's coming together.
4 So I hope this thing just keeps moving forward smoothly
5 as it has been going. Thank you.

6 Any more comments from the board members?

7 Okay. Well, thank you very much Rod for your
8 time, and I appreciate your work on this.

9 TECHNICAL SPECIALIST MUTCH: Thank you.

10 CHAIRPERSON JENKINS: So we're going to move
11 on to Agenda Item No. 5, assuming that our court
12 reporter --

13 Are you good to go still?

14 THE COURT REPORTER: Yes, I'm fine. Thank
15 you.

16 CHAIRPERSON JENKINS: Okay. All right. So
17 our next item on this is Wayne Molesworth. If you
18 would like to take the floor.

19 SECRETARY MOLESWORTH: Thank you. Mr. Chair,
20 board members, my name is Wayne Molesworth. I'm going
21 to present to you the secretary's report today.

22 In the budget section, the electrical fund balance
23 on December 31st was \$9,506,872, which is about four
24 times the average monthly operating expenditures. The
25 average monthly operating expenditures for the second

1 quarter of 2021 were \$2,443,287, compared to \$2,265,201
2 for the same period last year, which is an increase of
3 about 8 percent. Average monthly revenue for the
4 second quarter of 2020 was \$2,380,594, compared to
5 \$2,225,106 for the same period last year, and an
6 increase of about 7 percent.

7 So the budget is -- the budget is actually
8 maintaining itself. What you need to consider that's
9 not in the written report is that with COVID and the
10 things we've experienced, part of our budget management
11 is actually making sure that we're holding a few
12 vacancies that we can because of our inspection
13 numbers. And also the fee increase that we talked
14 about earlier is important because, as you see, our
15 expenditures were 1 percent over our revenues. And
16 when we look at that, we also have to consider the 3
17 percent increases that staff have gotten the last
18 couple years. And so our expenditures that increased
19 have not met -- we have not kept up with the fees. So
20 I appreciate your support going forward looking at the
21 fee increase. It's important that we make sure that
22 our budgets stay very strong moving through this type
23 of a situation.

24 Our weekly look at the budget -- or our monthly
25 look at the budget still shows us moving in a downward

1 direction about 400,000 a month. There was one glitch
2 in October where the budget actually went up about
3 4,000, but that was because of the sale of permits due
4 to the adoption of the 2020 code. So it's a little bit
5 of an up and down. And just making sure that we
6 understand the reasons for that will help us maintain
7 that budget.

8 I'm looking at not making any drastic changes in
9 staffing and changing the way we're going until
10 probably about June, when we'll know how our -- the
11 vaccinations and the COVID situation will move forward
12 to allow the industry to get back to actually full
13 swing. So little bit extra commentary there on the
14 budget.

15 For customer service, January 2021 we sold 4 --
16 41,825 permits were sold last quarter. And 100 percent
17 of that were processed online, which is 1 percent
18 increase from last quarter. And of course we know the
19 reasons for that is our offices are not open to be
20 selling permits over the counter. We hope to maintain
21 that once they were able to go over the counter.

22 Percent of contractor permits are sold online.
23 100 percent were sold online, which is consistent with
24 the previous quarter.

25 Homeowners online sales for this quarter were 98

1 percent, which is 1 percent increase from the previous
2 quarter.

3 And online inspection requests were 83 percent,
4 which is the same for last quarter.

5 During this quarter customers made 93 percent of
6 all electrical licensing renewals online, which is the
7 same for last quarter.

8 So as we can see, most of our -- most of our work
9 is being done online. And we're actually starting to
10 adjust a lot of our systems to where we're not
11 promoting them using paper but using our online systems
12 to make it easier and more timely for our customers to
13 purchase permits, renew licenses, as well as many of
14 the other things that -- that they do with our program.

15 So key performance measures: Percent of
16 inspections performed within 24 hours of request, the
17 goal is normally 86 percent. We see in 2020 we were at
18 79 percent. And in FY 2021 we're in 76 -- we're at 76
19 percent. Percent of inspections performed within 48
20 hours, last year this same time was 91 percent. And
21 we're at 88 percent this year. Now, those two
22 particular items really reflect a little bit of the
23 COVID situation with our high-risk staff at home. And
24 also we have a fairly high vacancy rate in one of the
25 regions and -- which drives their numbers way down into

1 the 50 percent. And we're sending people over there to
2 assist them. But that's what drives the percentages
3 down.

4 And so if we were to -- and we are in the process
5 of putting processes in place for that region to make
6 sure that they're able to bounce back. I've actually
7 received comments from general contractors that say
8 that they're getting their inspections a lot more
9 timely, and that they are -- the inspectors are very
10 friendly and helpful on the work sites. And -- and
11 that's been one of those things that we've struggled
12 with. So I think that you'll see these numbers in the
13 next couple of quarters actually be increasing because
14 they'll be full staffed and have some new processes in
15 place to move forward.

16 Total inspections performed: Last year there were
17 67,191. And this last year was 66,874. So not a very
18 big gap there, but still a little bit lower this year.

19 Virtual electrical inspections. Now, this is
20 something that I really am impressed with. And we've
21 grown the VEI program by one or two inspectors this
22 last year, since July. And they did 1,193 inspections.
23 This year they've already -- or for the quarter,
24 they've done 2,445 inspections. Pretty impressive
25 numbers when you consider what they're doing. And what

1 we're -- what we are getting from our customers is that
2 the VEI inspections are very convenient. We don't do
3 them on complicated inspections. Mostly simple
4 inspections to keep jobs moving.

5 You know, if you've got a \$500-a-day Cat sitting
6 on your property, you don't want to wait to fill your
7 ditch. You want to be able to fill it right away and
8 get that off your property so you're not paying on it.

9 So those are the kind of things that we're doing
10 to hopefully enhance our customer experience and make
11 it much easier for them to get. As well as we're doing
12 some of the things that put our inspectors in a hazard,
13 we now can do that by virtual inspection, and our
14 inspectors don't have to get back in that hazard. So
15 I'm really pleased with this.

16 Brian Stenerson is our new VEI supervisor, and he
17 is actually promoting and doing a lot of outreach with
18 customers in order to expand the VEI program. So I'm
19 very pleased with that. They're actually setting up
20 the systems for -- for our customers, and helping them
21 set up their phones or their laptops. So impressed.

22 So number of focus citations or warnings,
23 contractor licensing, worker certification, no permits,
24 failing to supervise trainees. And so those are some
25 of the ones that we're looking at as far as underground

1 economy and trying to reel that in. The field last
2 year did 514. This year they did 473. Part of that is
3 because of the COVID again. We're wanting people to
4 focus on inspections, as well as the compliance on
5 those jobsites. We don't want them out searching right
6 now. We want to make sure that we're getting our
7 customers the service that they need. But we have just
8 recently allowed them to start doing compliance out
9 wherever. So it's a good thing for contractors to have
10 us out there doing compliance again. Because
11 compliance is just as much about safety as inspections
12 is, in my opinion.

13 E-CORE, last year did 1,045. And this they're up
14 to 1,490 this last quarter. Grand total of 155 --
15 one-five-five-nine for last year, and a total of 1,963
16 for this year. So all in all, we're up. And -- and I
17 think that they're doing well.

18 We have a lot of citations coming through my
19 office for multiple violations for contractors. We're
20 finding a lot of out-of-state contractors that are
21 doing multiple locations, and also a lot of -- of
22 underground economy with multiple citations because
23 they're able to -- E-CORE is doing a great job of
24 finding the initial location, but then finding ways to
25 find out other places where these people have actually

1 worked, and -- and then add those to their compliance.
2 So I think that they're doing well for everything
3 considered with what we've been through this last
4 quarter -- or this last year.

5 Inspection stops for inspector per day: 11.3 last
6 year; 11.1 this year. Not much change.

7 Number 7, serious electrical corrections that
8 would result in disconnect: 11,560 last year, and
9 9,916 this year. So I'd like to think we're doing
10 things right and people coming into compliance and
11 learning about what they do. And with that we'll
12 actually do a little bit more research in those numbers
13 because I always like to know why am I seeing less when
14 it comes to that. I want to make sure it is that we're
15 making a difference out there. And that sounded bad.
16 We are making a difference out there. I have no doubt
17 about that.

18 And so Number 8, turnaround time for average plans
19 that -- plan sets reviewed. You know, their goal has
20 been two weeks. Last year it was 1.7 weeks it took
21 them. And this year it's 1.5 weeks. Not a lot of
22 change there. But what I want you to know is they're
23 holding a vacancy to help with managing the budget.
24 They've gone to the electronic plan review completely
25 now. And -- and they're actually able to process more

1 through the electronic plan review. And the
2 supervisor, Joe Evankovich, has done a great job of
3 managing that process and implementing that electronic
4 plan review so that everybody is on board and working
5 well through it. So he even expects this 1.5 to get
6 even lower. So we'll -- we'll hold him to that.

7 Plan pages reviewed: 1,108 for last year, and
8 1,062 for this year. So just it's just a few less on
9 that.

10 Percent of warnings by focus violation type:
11 Licensing, we had 11 percent; certification, 11
12 percent; permits were 45 percent; trainee supervision,
13 35 percent. And all focus at about 25 percent.

14 So moving forward we may see a little change in
15 this. I've got a little bit different philosophy about
16 warnings and responsibilities that I'll bring to the
17 board as they develop. But I think that there are
18 opportunities to change behavior in our contractors a
19 little bit more quickly, depending on what types of
20 citations we're actually issuing. Not to drop the
21 hammer at all, but just to make sure that -- that
22 citation -- or that warnings are not being used in
23 place of legitimate citations.

24 Licensing: Currently licensing has two vacancies.
25 We've got a CSS-3 and a supervisor vacancy there. We

1 also have one more additional CSS-2 position that's --
2 that's not retiring, but leaving state service. And so
3 they've also been putting together a lot of different
4 processes. And they have hired one additional person
5 that's new. And so we're in the process of training
6 them. So this is a program that is still doing well
7 with a lot of challenges that they're facing on a
8 day-to-day basis with staffing levels. So currently
9 licensing has two vacancies. We are in the process of
10 hiring a new licensing supervisor.

11 The customer service 3 position is being held
12 vacant due to a budget adjustment agreement. And a new
13 customer service specialist was hired last week and is
14 in training. Their training is based on learning value
15 stream mapping for workflows mentioned last October.
16 And the group has so far value stream mapped 27
17 different process flows to streamline the work, reduce
18 waste, and use the maps as a training tool.

19 Value stream mapping is -- is a -- it's almost a
20 little bit of an art. Because what we do is we go in
21 and we identify the current process, and then we look
22 for waste. And it could be waste in time. Maybe we
23 take the document to here, and then we went to somebody
24 else, and it waits for three weeks. Well, we want to
25 know why it's waiting for three weeks. We want to

1 increase the value of a process and eliminate the
2 waste. So they call it value stream mapping.

3 The licensing group, with the assistance of
4 auditors, have worked hard throughout the winter to
5 reduce the paperwork back load due to COVID. Tela-work
6 and furlough down from a high of six weeks to under
7 three weeks. So that's a pretty drastic change when
8 we're looking at the staffing situation that we've got
9 right now. Our goal is to process documents within 24
10 hours. Although, the governor's planned additional
11 furloughs in 2022, and a hiring freeze, this will be a
12 little challenging for us, but I think we will be able
13 to come out on top of it by the time we're done
14 adjusting the processes.

15 And part of that -- I'm going to give Larry Vance
16 a little shout-out here, as well as the audit team, who
17 is helping with the value stream monitoring. But Larry
18 has also looked at using the paper and -- and making
19 sure that we don't add any more work to our licensing
20 staff, but we remove work by not having duplicate paper
21 coming in from regional offices, you know, that they
22 have to reprocess, you know, different things like
23 that, making sure that our website reflects that you
24 can do these features online, and not promoting them to
25 go to paper so that they mail it in so that the

1 licensing folks have to actually process mail. And so
2 a lot of good combination of different parts of the
3 program working together to help licensing move
4 forward. Faith Jeffrey is actually the manager now of
5 licensing, and she has done a good job of bringing them
6 together and moving this project forward.

7 Testing lab report: We have one new testing
8 laboratory. We have accredited Quality Surveillance
9 and Expediting Services Inc., QSES Inc., as an
10 electrical testing laboratory limited to field
11 evaluations of equipment, and to follow the standards
12 UL 508A, NFPA 79, UL 61010-1. Documentation provided
13 with their application accreditation is a field
14 evaluation bodied by the American Association of
15 Laboratory Accreditation, and long history of approval
16 as a field evaluation firm in the state of Oregon
17 supported our approval of their accreditation. QSES
18 Inc. anticipates their field evaluation services to be
19 focused on industrial and process control equipment and
20 semiconductor fabrication equipment. So that's what
21 they'll be focusing on. That's a good addition to our
22 team.

23 At the bottom of your secretary's report, we have
24 other program updates, and these are pretty much rolled
25 over, I think, from last meeting as well. Questions

1 from the board members, and program updates.

2 Inspector compensation contrast state versus
3 municipalities. We know that there's approximately 10,
4 15 percent with some. Some might be 25 percent. I did
5 this study for a class and comp package, oh, gee, now
6 probably about four or five years ago. But in looking
7 at the different union contracts and the contracts for
8 the municipalities, they had in process in place for
9 increases on an annual basis, so you could anticipate
10 what their wages would be years down the road. And so
11 I still am thinking that those are pretty close numbers
12 to the contrast with what we're actually doing.

13 The problem we have right now is class and comp
14 packages where we're able to increase have kind of been
15 put on the back burner by the governor because of the
16 budget deficits. And -- and we'll be waiting to see
17 when they open that back up for us. And when they do,
18 we're actually putting together material and data right
19 now to build that in so that we can actually submit a
20 package when it's available to us.

21 Emergency rulemaking for reciprocity and flipping
22 property. We just answered a lot of that with Rod. So
23 I think that's been covered. I don't need to speak to
24 that any more, and with -- with the number of plans
25 reviewed and turnaround time. So that's about it for

1 the status of the program as it sits last quarter.

2 I would ask if there are any questions the board
3 has for me?

4 BOARD MEMBER BAKER: Board Member Baker.
5 I've got a line of questioning, maybe, for you, that
6 could lead to other questions as well.

7 But if take you back to your key performance
8 measures, lines 3 and 4, first question is: Is the
9 virtual inspections you're listing there, are those
10 included in the total inspections or -- or are those
11 separate?

12 SECRETARY MOLESWORTH: Yes, they are.

13 BOARD MEMBER BAKER: They are included? So
14 when I see 6,687 inspections, that includes the 2,445
15 virtuals?

16 SECRETARY MOLESWORTH: It should, yes.

17 BOARD MEMBER BAKER: Okay. Good to know.

18 I might be using the wrong term here. You can
19 clean this up. Is it the factory assembly inspections
20 inspectors? Is that the right term?

21 SECRETARY MOLESWORTH: Yeah, FAS.

22 BOARD MEMBER BAKER: Are those inspectors
23 under L&I? Are those L&I inspectors?

24 SECRETARY MOLESWORTH: Yes, they are.

25 BOARD MEMBER BAKER: Okay. Do you track how

1 many factory assembly inspections you perform?

2 SECRETARY MOLESWORTH: They do. We do not do
3 those inspections as the electrical program. But the
4 FAS inspectors actually do those inspections, and it's
5 a separate program housed under field services and
6 public safety. It's one of the four public safety
7 programs. And they have their own chief and inspectors
8 and plan review as well. And they do track how many
9 inspections are done, but I couldn't tell you what that
10 number is right off hand.

11 BOARD MEMBER BAKER: Okay. So it's a -- it's
12 a department of L&I, but it's separate from the
13 electrical department. Okay. I understand.

14 I'm asking because what we're seeing in the
15 industry is a significant change in -- in construction
16 methods, specifically for medium and high-rise
17 buildings where they are prefabricating bathrooms. And
18 in some cases they're even prefabricating the entire
19 dwelling unit and bringing them in from other parts of
20 the state completely assembled and -- and predone. I'm
21 just wondering what impact that department might be
22 having and how they're going to deal with that going
23 forward. So I guess if it's a separate department,
24 maybe it doesn't line up very well for this board. But
25 I'm curious what this change in our industry is going

1 to mean for that group.

2 ASST. DEPUTY DIRECTOR TAYLOR: Wayne, I can
3 answer that, if you'd like.

4 SECRETARY MOLESWORTH: I was just going to
5 ask.

6 This is Annette Taylor. She's the assistant
7 deputy director for FSPS, and she's -- she is the
8 manager -- or the supervisor or the chief for the FAS.

9 So, yeah, go ahead, Annette. That'd be great.

10 ASST. DEPUTY DIRECTOR TAYLOR: Thanks, Wayne.

11 And, Don, thanks for the question. That's a great
12 question. So yes, we are finding that built dwellings
13 or parts of dwellings are prefabbed and then shipped on
14 site for final inspection onsite. Our factory
15 assembled structure program does those inspections at
16 the factory while they're going through the prefab
17 process. And so our inspectors do travel out of state.
18 And they've traveled out of country on multiple
19 occasions because we've also had prefab work being done
20 in other countries and shipped into our country.

21 Case in point: A prefab hotel was shipped into
22 Seattle and set onsite in segments, and we had gone out
23 of country -- I think Poland is this particular one --
24 and we were in the factory with them during the
25 prefabrication process to do the proper inspection.

1 So it is becoming more popular, and therefore we
2 are traveling a little bit more for our inspectors and
3 factory assembled structure program to do those. But
4 that's becoming more commonplace than what we've seen
5 in the past, and we are aware of it and working with
6 those companies during the prefabrication process.

7 BOARD MEMBER BAKER: Thank you for that. You
8 know, I've been watching the electrical department and
9 the challenge to try and find qualified inspectors, and
10 retaining inspectors. And as a contractor watching
11 this change that's currently happening in our industry,
12 and knowing where it's going to go in the next five to
13 ten years, I would suspect that factory assembly group
14 is going to be inundated with a significant amount of
15 work that they're currently not having to do.

16 ASST. DEPUTY DIRECTOR TAYLOR: Yeah, well,
17 it's already -- the pace has already picked up, you
18 know, twofold. And I don't know if you guys are aware,
19 but we are having a hiring and retention issue for our
20 factory assembled structure program, and looking at
21 ways to mitigate that and working with our HR
22 department and our state HR department to, you know,
23 look at ways that we can change the inspector's fee and
24 classification to help bring people on board in that
25 program because we have several vacancies right now.

1 So, you know, we're working through that, as well,
2 recognizing that this is going to pick up because it
3 has become quite popular.

4 BOARD MEMBER BAKER: Yep, it's definitely an
5 emerging market, or a change in our market.

6 Last question: Is that department doing virtual
7 inspections?

8 ASST. DEPUTY DIRECTOR TAYLOR: Yes, they are.
9 They are doing -- they're doing virtual inspections.
10 The final inspection is in person, of course, but they
11 have implemented a virtual inspection process as well.

12 BOARD MEMBER BAKER: I guess it's not the
13 last question because -- so when that assembly arrives
14 at my jobsite, is there an expectation that the -- my
15 L&I inspector is going to look for a tag, or is he
16 going to actually do a final inspection on that unit?

17 ASST. DEPUTY DIRECTOR TAYLOR: They'll look
18 for a tag. If we've done the inspection in the -- in
19 the factory for FAS, we'll have put the insignia on
20 there acknowledging that the inspection has been done
21 so that if it's like a wall, they can close up the wall
22 and things like that to fabricate, put it on site. But
23 I also believe that there will be a final inspection
24 onsite as well. It just won't be the things that were
25 inspected in the factory so that the wall could be

1 closed up. If there's plumbing or electrical work
2 inside, the wall can be closed up. So that's the
3 purpose of the insignia. But when it gets onsite,
4 there will be a final inspection onsite.

5 SECRETARY MOLESWORTH: So for the electrical
6 program, I want to tell you it's really nice to have
7 technical specialists that are keeping me in line and
8 are very knowledgeable and want to make sure that we
9 understand that process is the -- the electrical
10 program still retains that -- that authority to do the
11 onsite inspection for work that's done onsite with
12 those structures; as well as we look for that sticker
13 to make sure that we can identify that initially it has
14 been inspected by an FAS inspector, and we just are
15 responsible for what's put in afterwards.

16 BOARD MEMBER BAKER: So I would expect that
17 final inspection would include a live check, they're
18 going to walk around and check for GFI testing and
19 the -- because they probably don't do a live check at
20 the factory.

21 SECRETARY MOLESWORTH: Right.

22 BOARD MEMBER BAKER: Yeah. Okay. Thank you
23 very much. That's very helpful.

24 BOARD MEMBER COX: Board Member Cox has a
25 question for Chief Molesworth regarding your number of

1 focus citations and warnings. And I understood -- or
2 at least I heard you say that you -- for this current
3 reporting for this current fiscal year that you had a
4 greater number of out-of-state contractors due to
5 multi-location installations.

6 Do you know what those type of installations were
7 where you had those violations?

8 SECRETARY MOLESWORTH: Well, some of -- I
9 don't -- I can't speak to that directly right now with
10 specifics. But what I was seeing was some of them
11 were, you know, done in multiple locations like Fred
12 Meyer stores where they added a branch circuit, you
13 know, things like that. We have had one for an
14 automotive store across the state where they changed
15 something in every one of those automotive stores
16 across the state, and they use outside contractors. So
17 a lot of these larger corporations have somebody that
18 they use nationwide, and they come into Washington
19 unlicensed, uncertified, using uncertified people,
20 using their own people, and that's when, hopefully,
21 we're made aware and -- and we can -- we can go out and
22 help them understand the licensing laws for the state
23 of Washington.

24 BOARD MEMBER COX: Okay. So you don't know
25 specifically, you know, what they were -- if it was

1 just we're putting a new branch circuit in for a new
2 display or whatever. I was just wondering how much of
3 that was low voltage contractors coming in and doing IT
4 projects, those kind of things, for multiple --
5 multiple locations, like you said, like an automotive
6 store or a Fred Meyer, but you don't have those
7 specifics as to what type of work it was?

8 SECRETARY MOLESWORTH: Right. But I can find
9 that out for you if you'd like. I can do a search of
10 the permits and have somebody pull that data together.

11 BOARD MEMBER COX: That would be great if I
12 could get an email on that. Because I'm also on L&I's
13 construction underground economy advisory committee,
14 and it's good to know what -- what those are, if it's
15 low voltage contractors, if it's 01s, if it's any other
16 specialties, just to kind of take a look at what
17 those -- you know, if there's -- if there's an
18 increasing curve somewhere that needs to be looked at
19 deeper.

20 SECRETARY MOLESWORTH: Okay. And it is
21 Mr. Cox, was it?

22 BOARD MEMBER COX: Yes, sir.

23 SECRETARY MOLESWORTH: Okay. Great.

24 BOARD MEMBER COX: Thank you.

25 SECRETARY MOLESWORTH: You betcha.

1 CHAIRPERSON JENKINS: Chair Jason --

2 SECRETARY MOLESWORTH: Make myself a note.
3 I'm getting old.

4 CHAIRPERSON JENKINS: So this is the chair,
5 Jason Jenkins. I was curious about the virtual
6 electrical inspections. Are we expanded that to pretty
7 much across the board? Are homeowners now getting
8 involved with trying to get these done also? Are we
9 still -- you know, we've moved from almost like a
10 certified position where open the door a little bit.
11 Where are we at today with who can actually get those
12 inspections done?

13 SECRETARY MOLESWORTH: So we're not doing
14 homeowners yet. That's -- that's still something that
15 I think we have to put a lot of thought into because we
16 have to introduce them into how to make appointments
17 online, you know, how to set up their cameras, request
18 inspections, contact the inspector via Skype. So I'm
19 not saying it's out of the -- out of the picture, but
20 we also find a lot of compliance when we do homeowner
21 work where an inspector can actually be onsite. The
22 hard part about virtual inspections is that they're
23 going to show you what they want you to see. And so
24 you can't see that maybe there was a new air
25 conditioner put in last week, and you got a nice orange

1 wire running out there, and you ask them, "Oh, did you
2 just put that in?" "Oh, yeah." You know, and "Who did
3 it?" And you wind up finding a lot of compliance just
4 from that aspect of how to do the inspection.

5 So I haven't totally discussed that with the VEI
6 supervisor yet what that might look like. I've been
7 kind of holding off on it. But the number of
8 inspectors that we have in VEI I hope to grow, because
9 I think there's a lot more in the commercial and
10 industrial aspect that we can expand it to, to -- to
11 virtually free up the inspectors to be able to go out
12 and do the inspections for the homeowners in a more
13 timely fashion if we can relieve them of some of the
14 high-mileage inspections that VEI runs into. At the
15 same time allowing the contractor to make a VEI
16 inspection so they don't have to drive back out, you
17 know, 60 miles to make a correction. You know, they
18 can make it right on the -- right at the time. And if
19 it's a quick one, we can reinspect it and -- and off
20 they go. So there's a lot of options here. We just
21 haven't expanded it to the residential industry for
22 homeowners.

23 CHAIRPERSON JENKINS: Yeah, I guess the other
24 question would be is how far has it gone in the
25 commercial sector? Is it across the board now that

1 anybody that holds a supervising license can call for
2 those? Are we -- are we holding back on certain areas?

3 SECRETARY MOLESWORTH: So we're -- we're kind
4 of evaluating that per the individual that wants to
5 sign up with us to do VEI inspections. Right now we
6 haven't done a lot of stuff for just allowing anybody
7 to call and make an appointment. Right? They've got
8 to be set up correctly. They've got to have things in
9 place. And we do our inspections on a half-an-hour
10 basis, so they have to be able to look at our calendar
11 and make sure that they've got those things in line so
12 that they can find a space with one of the inspectors.
13 The nice thing about it for them is that they -- they
14 can pick any one of the inspectors that has an opening.

15 So yeah, there's -- there's a lot of things that I
16 think we can do. But I also want to keep this in mind
17 that this is still fairly new as things go. But it was
18 a model for elevator and FAS to start with their VEI
19 inspection programs. So we just want to make sure
20 we're doing it right.

21 The other thing is we want to make sure that we
22 have -- we're allowing the contractors that are, you
23 know, a very good contractor for us, and we don't have
24 to worry about those that we have trusting
25 relationships that we can go by.

1 And then there are things that the regions want to
2 make sure that they go to. And so they may contact us
3 and say, "Hey, I want to be doing this in person." And
4 we're trying to develop a higher level of relationship
5 with the regions and the VEI inspectors so they have
6 better communication in order to do that.

7 But I kind of talked around your question, Jason.
8 Sorry about that. The answer is that is, no, we
9 haven't completely opened it up yet. And -- and I'll
10 tell you another reason for that is because if we were
11 to open it up and we were to get overwhelmed with
12 inspections for VEI to where people every time they
13 look they couldn't find an appointment, they're going
14 to quit using it. And then it's going to go away
15 because people won't use it. Because it's a voluntary
16 thing for them to use it. So what we're trying to do
17 is grow the program and do outreach and -- and allow
18 more people to take advantage of it in that way.

19 The other part of that is I can't just hire a
20 bunch of people to be VEI because I have to have FTEs
21 for those that are funded in order for me to actually
22 grow it. We did that with the last one we did because
23 plan review saw that they wouldn't need an extra
24 person, and we moved that to VEI and hired another
25 person there. So congrats to Joe Evankovich for

1 identifying that he wouldn't need somebody and offered
2 him up because that's -- that's how we build a good
3 program.

4 CHAIRPERSON JENKINS: Well, thank you very
5 much. I appreciate that. Thank you.

6 I also wanted to make note I think this is
7 probably an appropriate time to talk about the -- the
8 Electrical Currents. I think that would fall under
9 your area.

10 I do want to say that I'm still impressed by the
11 inspectors throughout the (noise interference). I've
12 seen now twice in the last couple (noise interference)
13 showing how they've actually picked up something else
14 that was not part of the original inspection. And
15 kudos to, once again, the inspectors for doing that.

16 And then I request as a member, not necessarily as
17 the board speaking as one, but I ran into a case where
18 I saw something that was inappropriate out there on the
19 jobsite, and it's been a while now. But I went to go
20 online to find someplace to report, you know, Hey, I
21 saw somebody working in a -- non-electrician doing some
22 wiring in a commercial application, and it was hard
23 to -- I couldn't find a place to contact somebody other
24 than make a phone call to L&I.

25 Do we have anything online, or can we put anything

1 online that would give easier access to that, or is --
2 is that something we could do?

3 SECRETARY MOLESWORTH: There seems to be a
4 port online that's the "report of violator." And I
5 might need to get you the -- the address how to get
6 there.

7 CHAIRPERSON JENKINS: It just didn't seem
8 very easy to find it through the whole route. So
9 anyway --

10 SECRETARY MOLESWORTH: So we may -- we may
11 have to change that. I'll make a note of that,
12 actually. It needs to be on the front page; right? Or
13 where somebody can just open it up?

14 CHAIRPERSON JENKINS: Yeah, something that
15 makes sense to get to.

16 SECRETARY MOLESWORTH: Thanks for -- thanks
17 for letting us know about that. We want to make it
18 easy.

19 CHAIRPERSON JENKINS: Thank you.

20 And as a reminder for anybody attending this
21 meeting, would you please mute your mics if you're not
22 speaking? Thank you again.

23 BOARD MEMBER PREZEAU: Secretary --
24 (Interruption in the
25 proceedings.)

1 BOARD MEMBER PREZEAU: Chair Jenkins, this
2 is --

3 CHAIRPERSON JENKINS: Excuse me. Whoever is
4 speaking in the background, please mute your mic,
5 please.

6 Do we have access, Beth, to actually mute the
7 other mics that are on our system?

8 MS. RIVERA: Once I mute the phone calls,
9 they are going to have to press star 6 to unmute
10 themselves, and I'm not sure all of them know that.

11 CHAIRPERSON JENKINS: I mentioned at the very
12 beginning the pound -- or star 6 to unmute. So can you
13 please do that for me?

14 MS. RIVERA: Yes.

15 CHAIRPERSON JENKINS: Thank you.

16 BOARD MEMBER PREZEAU: Okay. So this is
17 Board Member Prezeau. Secretary Molesworth, I'm go to
18 jump into the deep end, and you can choose whether --
19 well, you can always choose how you want to answer the
20 question. I debated asking Technical Specialist Mutch
21 this during the legislative report, but I wanted to
22 wait until you got through the financials and the
23 secretary's report.

24 What, if any, indication are you receiving, or
25 have received or not, regarding a potential threat of

1 the Washington State Legislature identifying additional
2 revenues in our -- in our general fund and what -- I
3 guess, if you would speak to what do you potentially
4 think the likelihood of that is or what's, sort of, the
5 current temperature of that?

6 SECRETARY MOLESWORTH: Sure, Tracy. You
7 know, there's -- there's always that potential. Right?
8 We've had it in the past. We've seen it happen. I
9 have not had any heads-up or any inclination that
10 they're even looking at that. One of the advantages of
11 your budget continuing dropping in this kind of a
12 situation is we can use that to defend our budget --
13 right? -- and defend what we do. And because we're --
14 we are really, I think, able to show that we're doing a
15 great job during COVID for what we've been given, that
16 they know that we're using our budget appropriately,
17 and it isn't 12 million, and it is on the decline. And
18 so when we look at that, you know, what we will have to
19 do if they come at that is we'll have to find a way to
20 fight it. And I know that our leadership, all the way
21 up to Joel, I think, is going to support us with that
22 and more forward.

23 One of the things we don't want to get into that I
24 will bring up in a situation like that is the history
25 of that budget. And let's point at 2008. Right? And

1 here's what you're asking for if you do this. And now
2 you're going to put this many people out of work. What
3 you're going to do is slow down the recovery of the
4 economy because you're going to inhibit our ability to
5 do inspections, which on many sites will slow down five
6 to eight different trades. And -- and so it's
7 important that we keep the program active and out there
8 doing what they do. And please give us ten more FTEs
9 to be able to do that with. But that's -- but that's
10 my philosophy behind that and how I would approach it.
11 Because if they don't understand the history and be
12 able to look at those numbers and look at our budget
13 numbers right now and know that if I take this much
14 money, now they're on the line. Right? And 2 or 3
15 million is not going to make a big difference to them,
16 you know, when you're talking, what, 5 billion. And so
17 that's -- but, but -- right? -- you just never know.
18 And you just always have to be prepared and be looking
19 forward as to how am I going to defend that, how am I
20 going to resist that. And so that's what we -- what we
21 try to do.

22 BOARD MEMBER PREZEAU: Well, I'm glad that
23 you're -- you're not hearing anything definitive.
24 That's a good sign. I agree with everything that you
25 just said. And having served on this board for, I

1 believe, both of the legislative sweeps, you know, the
2 fund balance was significantly higher than what we're
3 looking at. And because of the -- I call it the
4 construction depression that was initiated in 2008, the
5 board -- the board used to have a standard of we wanted
6 to see six months of operating budget in reserve.
7 Right? And then the board members voted to adjust that
8 down to four months, and -- which is exactly what we're
9 at, and have been pretty consistently. So, I mean, all
10 of the data there support them leaving us alone. You
11 know, whether you're talking about the budget or the
12 fund decreasing, but we're still, you know, meeting
13 that four-month operating threshold, which, you know,
14 is beneficial for everyone. So just wanted to hear
15 your thoughts on that. Appreciate you sharing them.
16 Thank you.

17 SECRETARY MOLESWORTH: So just -- just a
18 little bit more on that -- thank you, Tracy. I
19 appreciate your comments.

20 But a little bit more on that is that we have in
21 our budget projections a note where we track that we
22 need three times the operating capital in order to stay
23 in business well. And that's -- you know, you guys
24 reduced that a little bit, but we still use that in our
25 projections. And so that -- that number is \$7,200,000

1 and so when you're talking about a projection of next
2 June -- and this has improved, because last September
3 the projection was in June next year we'd be at
4 7,200,000 then -- right? -- which was below what we
5 should have had. And over the period of this last six
6 months, we've actually now the projection is 8,136,000.
7 So we're going up. Now, those projections are done
8 with data over a 12-month period. And so whatever
9 affected us 12 months is still affecting these
10 projections.

11 And Rod and I have talked about this a lot. One
12 of the things that I'm going to be real curious about
13 is what does it do to our projections where April of
14 last year drops off, where we had zero revenue. And we
15 had over \$2,000,000 in expenses. And when that drops
16 off, that will give us a much clearer way of
17 identifying what does it look like going forward, and
18 then we can start to make some adjustments. But, you
19 know, I get asked all the time by RAs "Can I hire some
20 more inspectors?" and we've all gotten together and
21 decided we're going to hold a certain amount of
22 vacancies until we're sure that we're by it.

23 But what I want you to know is because they've
24 held those vacancies, they're still doing a lot of
25 their work. Four out of the six regions are over 90

1 percent in their response time within 48 hours. That
2 is spectacular. And they have high-risk people and
3 vacancies.

4 So we'll be adjusting and looking at vacancies and
5 where they're at more often and evaluating them as a
6 group, the RAs and the chief, to determine should they
7 stay here, or do we need to move that vacancy where
8 maybe they need it a little bit more. Are they using
9 their resources efficiently? Because I'm not going to
10 throw good money after bad. I'm not going to send
11 another FTE to somebody that's not using their
12 resources efficiently. So just a little extra
13 commentary there. As you know, I like to talk -- hear
14 myself talk.

15 BOARD MEMBER PREZEAU: Well, Chief
16 Molesworth, I appreciate the comments -- right? -- and
17 to get an update from you. It's interesting to look
18 forward to -- should the governor take no action, I
19 look forward to hearing what the update is in April and
20 moving forward. And I'm not -- like you, I'm concerned
21 about the legislative process, but not -- I'm paying
22 attention, but not concerned is a better way of
23 phrasing it.

24 SECRETARY MOLESWORTH: We'd be foolish not to
25 pay attention.

1 CHAIRPERSON JENKINS: Okay. Any more
2 questions for the secretary?

3 Hearing none, thank you very much for your time.
4 I appreciate your input on this and your time and
5 efforts.

6 SECRETARY MOLESWORTH: You bet. Thank you,
7 Mr. Chair.

8 CHAIRPERSON JENKINS: All right. So how's
9 our court reporter doing right now?

10 THE COURT REPORTER: If we could take like
11 five or ten, that would be great, if it's a good time.

12 CHAIRPERSON JENKINS: Okay. Let's do that.
13 Let's take a ten-minute break. We'll take a recess
14 until -- I'm looking at the clock. It's 10:45-ish. So
15 we'll get back 10:55 on the dot then.

16 (Recess from 10:44 a.m. to
17 10:56 a.m.)

18 CHAIRPERSON JENKINS: I have 10:56, and we'd
19 like to bring the meeting to order. And so I'll start
20 off my list, where I put it. What did I do with it?
21 Here we go. All right here we go.

22 Ivan Isaacson?

23 BOARD MEMBER ISAACSON: Present.

24 CHAIRPERSON JENKINS: Dylan Cunningham?
25 Dylan Cunningham, are you still here with us?

1 (No audible response.)

2 CHAIRPERSON JENKINS: Okay. Don Baker?

3 BOARD MEMBER BAKER: Yes, I'm here.

4 CHAIRPERSON JENKINS: David Ward?

5 BOARD MEMBER WARD: Yes, here.

6 CHAIRPERSON JENKINS: Erick Lee?

7 BOARD MEMBER LEE: Here.

8 CHAIRPERSON JENKINS: Kerry Cox?

9 BOARD MEMBER COX: Here.

10 CHAIRPERSON JENKINS: Bobbie Gray? I think

11 he's still not there with that one.

12 Alice Phillips?

13 BOARD MEMBER PHILLIPS: Here.

14 CHAIRPERSON JENKINS: Ryan LaMar?

15 BOARD MEMBER LaMAR: Here.

16 CHAIRPERSON JENKINS: Mike Nord?

17 BOARD MEMBER NORD: Here.

18 CHAIRPERSON JENKINS: And Dominic Burke?

19 (No audible response.)

20 CHAIRPERSON JENKINS: No Dominic Burke.

21 I don't see my list here? Was that also someone

22 that was not -- may have stepped away. But we do have

23 a -- we do have a quorum, so I guess we can continue

24 on.

25 BOARD MEMBER PREZEAU: And Chairman Jenkins,

1 this is Board Member Prezeau. I am present as well.

2 CHAIRPERSON JENKINS: Thank you very much.
3 This is not my normal list. Thank you. Sorry. Not
4 meaning to forget you.

5 All right. So next item on our list, looks like
6 we are up to -- I have moved all my paperwork around.
7 Looks like we're up to -- one second, please. There we
8 go -- up to Larry Vance, Certification/CEU quarterly
9 report.

10 Are you available to give that report?

11 TECHNICAL SPECIALIST VANCE: I am.

12 CHAIRPERSON JENKINS: All right. Larry, the
13 floor is yours.

14 TECHNICAL SPECIALIST VANCE: Good morning,
15 board members. My name is Larry Vance. I'm a
16 technical specialist for the Department of Labor &
17 Industries. I'd like to direct board members to the
18 board packet to the exams statistics summary by
19 attempts. And you'll see there normally we just --
20 because there's -- the majority of electricians in the
21 state of Washington are journey level electricians,
22 we've kind of used that as the -- as kind of our
23 temperature monitor of what's going on. You'll see
24 that in this one-year period that's reported that there
25 was 864 first-time applicants for the exam. The pass

1 rate remains consistent with prior years. Looking at
2 864, it kind of -- it triggered a question in my mind.
3 All right. 864. And -- and we're in the middle --
4 most of this year has been we've been involved in the
5 pandemic. So what was the prior year? The prior year,
6 2019, for the same period of time, we had 1,194
7 applicants through the exam process, first-time
8 applicants. Well, there's -- there's a couple hundred,
9 for sure. 300 -- close to 300. So what was the prior
10 year? Well, the prior year was 1,083 applicants,
11 first-time applicants. And then the prior year to that
12 was 794 first-time exam candidates in 2017.

13 So what is driving those numbers? Certainly the
14 economy drives those numbers. I don't really have
15 anything to compare the 864 candidates this year in
16 relation to the economy this year. I know that
17 construction was impacted by the pandemic. The other
18 thing that could be a contributor also is, is that
19 Oregon reciprocity has -- has resulted in 249 Oregon
20 electricians reciprocating their licenses with
21 Washington. So there's about 250 there that are
22 available now with Washington licenses that can work in
23 Washington. So a lot of things moving, a lot of things
24 going on with that. So that's -- that's kind of the --
25 the view from the -- from the exam -- the exam world

1 there.

2 Are there any questions?

3 BOARD MEMBER PREZEAU: Technical Specialist
4 Vance, this is Board Member Prezeau. I appreciate
5 your -- because when I looked at that exam report, I
6 was -- it caught my attention that 846 [sic] total
7 applicants sort of looks like the same true -- I didn't
8 do a line-by-line comparison from this report for 2020
9 and 2019, but wondering if you and the department
10 considered the potential impact of the reduced exam
11 applicants may have something to do with inability to
12 secure basic classroom training requirements because of
13 the pandemic?

14 TECHNICAL SPECIALIST VANCE: That is a --
15 that is something that will stop exam candidates. If
16 an exam candidate cannot meet the basic classroom
17 requirement required to qualify for the exam, it is --
18 it is an impediment to them taking the exam. There are
19 alternatives currently offered. And those alternatives
20 to in-class training are virtual -- virtual training.
21 We have -- we get notification of trainers when they
22 are offering virtual courses so we can see the traffic.
23 There is also a pretty good resurgence in in-class
24 training. So I can't -- I'm not an electrical trainee,
25 so I can't -- I can't speak to how difficult it is to

1 obtain a class if I needed a class.

2 Maybe perhaps Board Member Jenkins can talk a
3 little about his experience with the apprenticeship
4 community and their continuing education offerings to --
5 to others, or what he may know about that.

6 But we have alternatives, and it could be a
7 factor. I would agree that it could be a factor. But
8 I think if someone wants to obtain in-class training
9 that there are avenues for them to do it.

10 CHAIRPERSON JENKINS: Chair Jason Jenkins. I
11 will say that we have limited our CEU training because
12 we have limitations on what we can do in person versus
13 online. But we do have online courses available for
14 that, and those are going on constantly.

15 Our -- us being an apprenticeship program, we have
16 quite a few -- well, our training is still ongoing.
17 And so our students -- there are some people that have
18 missed, you know, this, that, or the other because of
19 COVID, but the reality is, is our training has
20 continued. We have not -- I would say we've missed --
21 it's been difficult, but we've been able to keep our
22 apprentices moving through the program.

23 Now, the training we don't really have a lot of
24 input on somebody that's looking for, like specialty
25 licensed training or non-apprenticeship training. That

1 would be outside of my realm, if that helps.

2 TECHNICAL SPECIALIST VANCE: We also have had
3 some -- done some monitoring. We can -- we can run the
4 statistics on electrical trainees. There's roughly
5 24,000 of them in the state of Washington. So by
6 looking at that number of how many of those are expired
7 and how many of those are active, we can gauge --
8 because if they're expiring, that means that they're
9 not completing their continuing education. They're
10 unable to renew unless they do. So what we have there
11 is we're watching that number. We haven't seen a
12 significant drop in the -- in the number of active
13 versus expired. So I can't say with total certainty
14 that -- that there's a course available for anyone that
15 wants a course. I think that a person has to take some
16 personal initiative in order to find a course. But
17 hopefully that is getting better. And I'm hopeful for
18 more availability as things begin to open back up soon,
19 hopefully.

20 BOARD MEMBER PREZEAU: Thank you, Technical
21 Specialist Vance. Appreciate your thoughts on that.

22 CHAIRPERSON JENKINS: All right. Technical
23 Specialist Vance, is there anything else you need to
24 report on? Did I miss anything?

25 TECHNICAL SPECIALIST VANCE: No. There was a

1 sub-bullet there regarding a new testing laboratory on
2 the agenda, and I think Wayne Molesworth, Chief
3 Electrical Inspector Wayne Molesworth covered that very
4 well in the secretary's report. So I have nothing more
5 to offer on that.

6 CHAIRPERSON JENKINS: All right. Well, thank
7 you.

8 Any other questions from the board for Technical
9 Specialist Larry Vance?

10 BOARD MEMBER COX: Board Member Cox for
11 Specialist Vance. Maybe we've addressed this before.
12 But on these number of attempts, we see these folks,
13 you know, trying up to eight times and failing.

14 Do we have any type of record on the type of
15 questions these folks are failing on? Or is it just
16 general this is the pass/fail grade, and so we're just
17 seeing those simple stats? There's no way of drilling
18 down and -- I guess, is there a way of drilling down
19 and seeing the type of questions they're missing? Is
20 it calculations? Is it -- you know, what is it?

21 TECHNICAL SPECIALIST VANCE: For a general
22 journal level electrician exam, it really does vary.
23 There is no -- there is no one thing that seems to trip
24 them up. It could be -- it could be WAC rules. It
25 could be -- it could be any number of different

1 varieties of questions. When someone challenges an
2 exam, it's usually not one area that they've missed
3 questions in. They're across the board. And it's a
4 two-part exam. So if you fail the WAC, RCW section,
5 you fail the exam on your first attempt.

6 So we have a report that I think Tracy Prezeau can
7 remember that we used to use, and it was how many --
8 how many passed the WAC, RCW section, and how many
9 passed the NEC and theory side. And what we found with
10 that report is we didn't know how many passed -- how
11 many passed by passing both sections. Right? Or we
12 just didn't have the data we needed, and that's why we
13 use the current report.

14 But there is no magic question that trips people
15 up. Most of it is just the fact that so many are so
16 unprepared to take the open-book exam. And I think
17 that that -- when you look at the simplicity of the
18 questions that are missed, you do have to scratch your
19 head and wonder how prepared the candidate was.

20 BOARD MEMBER COX: Okay. That explains it.
21 Thank you, Larry.

22 CHAIRPERSON JENKINS: Larry, first of all, I
23 had the question, you wouldn't happen to know where
24 we're at with reciprocations, as far as how many people
25 have reciprocated since we've opened the doors for

1 that? You wouldn't happen to have the number, would
2 you?

3 TECHNICAL SPECIALIST VANCE: I did. Let's
4 see. We've got 249 have come from Oregon to -- and
5 they now have Washington -- they have reciprocated
6 their Oregon journeyman license to a Washington journey
7 level certificate. Out of those -- not out of those.
8 But added to those, there was 90 others who applied and
9 were not -- did not meet the credentials; meaning that
10 maybe they previously held a Washington certificate and
11 they were trying to avoid a retest by reciprocating, or
12 possibly they didn't meet the apprenticeship
13 requirement. For a number of reasons they did not
14 qualify. So -- so it appears somewhere in the area
15 of -- what have we got here? -- three -- 339 have
16 applied, if my math is right. And out of those 339,
17 249 were successful so . . .

18 CHAIRPERSON JENKINS: Great. Great.

19 And the last thing I was kind of curious about --
20 I think I know the answer to it, but I'm looking to the
21 exam results by test centers. And there's a couple
22 test centers showing they're closed. Is that a COVID
23 thing, or are they actually closed permanently as like
24 the testing center has gone away? Do you know about
25 that?

1 TECHNICAL SPECIALIST VANCE: There's two
2 types of PSI training centers. There's a PSI
3 brick-and-mortar site, meaning that it's staffed by
4 PSI. And then PSI has what's known as partner sites.
5 Those are sites that are at airports, community
6 colleges, those venues. I don't know if those sites
7 are permanently closed. I mean, some of these are very
8 small. Maybe there's one person that staffs that, but
9 let's say that person is -- you know, they've got a --
10 they can't work in that environment because of COVID,
11 for instance. So I can't speak to whether or not
12 they're permanently closed or -- or what they're doing
13 with that.

14 I do know that initially we had a lot of -- a lot
15 of -- a lot of complaints, and just a lot of
16 conversation around exam scheduling. And I can say
17 that we are not -- we are -- it's very infrequent now
18 that we hear or get an inquiry from somebody about
19 difficulty scheduling an exam. So that -- that's an
20 assumption, but a lot of times it's -- it's a good
21 indicator that when you -- when you're not hearing
22 anything, sometimes it's good news.

23 So PSI, it's been a big struggle with the variety
24 of venues that they offer the exam in nationwide to
25 maintain the accessibility to our exam. And I -- it

1 appears that they have responded well to that. So
2 that's good news.

3 CHAIRPERSON JENKINS: It's a simple -- you
4 know, I figured it probably had to do with COVID as far
5 as them closing down, but I was just making sure that
6 we're not seeing trend that something is happening.
7 But it sounds like it's normal opening and closing and
8 different things.

9 Okay. Any more questions for Technical Specialist
10 Larry Vance?

11
12 TECHNICAL SPECIALIST VANCE: Thank you very
13 much, everybody.

14 CHAIRPERSON JENKINS: Thank you very much. I
15 appreciate your help.

16 TECHNICAL SPECIALIST VANCE: Have a good day.
17 Thank you.

18 CHAIRPERSON JENKINS: You too.

19 All right. So it looks like we are up to Agenda
20 Item No. 7, which is public comments. And to offer
21 open access to public comments, I'm going to offer it
22 up three times, as we've done in the past. If you are
23 on a telephone access, you'll need to hit star 6 to
24 activate your sound, if you've been locked out.

25 So I'll open the door for public comment.

1 (No audible response.)

2 CHAIRPERSON JENKINS: And I'll open the door
3 once again for public comment. That's two of three.

4 (No audible response.)

5 CHAIRPERSON JENKINS: One more time. Open
6 for public comments. Anybody would like to speak to
7 the electrical board.

8 And, Pam, are we covered? Do you think we've
9 opened the door wide enough?

10 AAG THOMURE: I think so.

11 I would just verify that the person hosting the
12 meeting -- if that's Beth or Megan -- they're not
13 getting any kind of emails or any requests that
14 somebody can't get through or unmute themselves.

15 CHAIRPERSON JENKINS: Anything from Beth
16 there? Beth, I'm assuming you're in control?

17 MS. RIVERA: Yes. I do not see any emails to
18 the electrical program at lni.wa.gov or in my personal
19 email.

20 CHAIRPERSON JENKINS: And I have not been
21 monitoring the chat at all, the messages, so I don't
22 know what's on there. I probably should, I guess.

23 All right. Given that, the chair would entertain
24 a motion to close the January 2021 Electrical Board
25 meeting.

1 AAG THOMURE: Jason, before you do that, can
2 I address the board?

3 CHAIRPERSON JENKINS: Absolutely. Please do.

4 AAG THOMURE: I wanted to let you guys know
5 that I am retiring from my office, and my last day in
6 the office -- actually in the office is going to be in
7 March, so this is actually my last meeting as the
8 advisor to the board. I wanted to let you guys know
9 that this has been one of my favorite assignments. I
10 just think this group, this whole program is great.

11 I also want to say thank you to both the board and
12 to the department for getting on board and pushing the
13 rule revision to 995 through. It's important to me,
14 from the work that we've done. I know it's very
15 important to Tracy.

16 So I had hoped that the person from my office who
17 would be taking over this assignment, we had identified
18 that person, and I could introduce that person to you.
19 Unfortunately that hasn't happened yet. But you can
20 rest assured that I've already promised -- you guys
21 probably can't see it, but, you know, my -- I call it
22 "my Bible." I always come from lots of paper and
23 notebooks and stuff. And I promise that I am going to
24 pass that all on.

25 I think we've done a really good job in terms of

1 getting some really good systems in place. I -- and
2 hopefully they can be improved on. Everything can be
3 improved upon. So I think we've got things really well
4 tuned in. And I wish everybody the best. And thanks
5 again for letting me be your advisor.

6 BOARD MEMBER PREZEAU: Well, this -- Chair
7 Jenkins, this is Tracy Prezeau, board member.

8 Congratulations, Pam, on your retirement. I'm
9 trying not to actually cry, which is kind of amazing.
10 But I just want to take a point of personal privilege
11 and get on the record how -- how grateful I am for the
12 opportunity that I've been able to work on this board
13 with you, to sit next to you for -- at quarterly board
14 meetings, to seek your guidance, to seek your counsel
15 as the formal chair, what I learned about legal
16 proceedings, what I learned about myself and just --
17 it's -- I'm -- I'm at a little bit of a loss for words
18 because I didn't know this was coming. But I could not
19 be happier for you and your family.

20 And I will just say that I agree with your
21 assessment that during your assignment to this board
22 you have helped all of us improve processes, perform at
23 a higher -- higher level than we did before you joined
24 the team. And I just wanted to make sure we got that
25 on the record. So congratulations.

1 And I have your personal cellphone number, so
2 don't be a stranger. I won't be a stalker, but don't
3 be a stranger.

4 AAG THOMURE: Likewise, Tracy, thank you.

5 BOARD MEMBER PREZEAU: And now that you're
6 not a -- now after March when you're not a public
7 servant, now I can take you to lunch legally and not
8 violate any -- any state laws, and I look forward to
9 doing that after you retire when it's safe to do so.

10 AAG THOMURE: Thanks.

11 CHAIRPERSON JENKINS: I couldn't say it any
12 better than Tracy has said. And I'm kind of going to
13 miss the opportunity to get to know you as well as she
14 has. And you're going to be very missed on this board
15 because this is much of a new territory for me, and I'm
16 just hoping that the next person that steps up is at
17 least half of what you've done. So thank you so much
18 for what you've done.

19 AAG THOMURE: Thank you.

20 BOARD MEMBER WARD: Excuse me, Chairman
21 Jenkins. This is Board Member Dave Ward.

22 CHAIRPERSON JENKINS: Go ahead. Yes.

23 BOARD MEMBER WARD: I also want to let you
24 know my last board meeting because I'm going to be
25 retiring the end of February. So I guess this is the

1 season for retirements.

2 I just want to take a moment to thank the board
3 and the department for the opportunity to serve on the
4 Electrical Board. I really enjoyed it. I've learned a
5 lot. And I found it fun and intriguing. And I just
6 want to thank all of you for your service. And I hope
7 you all have a really really good 2021 and a bright
8 future. Thank you.

9 CHAIRPERSON JENKINS: Thank you very much. I
10 appreciate you letting me know. That's another last
11 minute. Thank you. I appreciate it.

12 Any more comments from the board?

13 BOARD MEMBER BAKER: This is Board Member
14 Baker. I don't know, Pam, how you're going to
15 communicate to your replacement how to read our body
16 languages and how to say things to us without actually
17 saying things. I've grown accustomed to looking over
18 at you when people were talking, or when I was talking,
19 to go, "Ah, yeah, I could tell by her body language I
20 went too far. I'm saying something I shouldn't have
21 said." I don't know how you're going to train that
22 person, and how they're going to get us retrained. You
23 are going to be missed. I've come to appreciate having
24 you on the board and the wisdom you bring. And I'm a
25 little bit jealous that you're actually retiring. Good

1 for you.

2 Dave, I didn't know you're retiring. I'll tell
3 Kelly to get ahold of Robin. She's going to want to
4 stay in touch.

5 Good for you, Pam. We'll see you, hopefully, in
6 the future.

7 AAG THOMURE: I'm still going to be around,
8 just not working so hard for a living.

9 BOARD MEMBER BAKER: You could -- you could
10 come visit us quarterly and ask difficult questions in
11 the public comment section.

12 AAG THOMURE: Well, I was talking to, maybe,
13 Jason. Maybe I could apply for the public seat, but
14 that might make it very difficult for you guys and for
15 my replacement.

16 BOARD MEMBER WARD: But how much fun it would
17 be.

18 AAG THOMURE: Yeah, but if you keep looking
19 at me, then that would be a problem.

20 CHAIRPERSON JENKINS: Once again, thank you
21 very much and congratulations. That's awesome. I'm
22 looking forward to some day me being able to do
23 something like that. That's a long ways away, I think.

24 SECRETARY MOLESWORTH: I'm Wayne Molesworth.
25 I just wanted to say thanks, Pam. But I'm thanking Pam

1 because Pam has supported me for the last ten years in
2 my other job. When I was working for DOSH, she
3 litigated our cases and taught me much about -- about
4 that. And -- and we had a great -- great opportunities
5 to talk and discuss different things. And it was just
6 a pleasure, Pam. And when I found out you were the AG
7 supporting the board, I just -- yeah, it was like Whoo,
8 great, you know, we've got somebody there that I know
9 that I can trust. And so just thanks a lot. And now
10 since you're not going to be so busy, maybe we can line
11 up to where we can have that beer. Say hi to Levi.

12 AAG THOMURE: I will. Thanks, Wayne.

13 SECRETARY MOLESWORTH: You bet. Good luck.

14 CHAIRPERSON JENKINS: Any more comments from
15 the board?

16 (No audible response.)

17 CHAIRPERSON JENKINS: Okay. Well, hearing
18 none, once again the chair would entertain a motion to
19 conclude the business of the Electrical Board January
20 28th.

21 BOARD MEMBER PREZEAU: Chair Jenkins --

22 BOARD MEMBER NORD: Board Member Nord,
23 motion.

24 CHAIRPERSON JENKINS: Say again, whoever
25 spoke.

1 BOARD MEMBER NORD: Board Member Nord,
2 motion.

3 CHAIRPERSON JENKINS: We have a motion.

4 BOARD MEMBER PHILLIPS: Board Member
5 Phillips, second.

6 CHAIRPERSON JENKINS: And we have a second.
7 So we have a motion and a second.

8 Any discussion?

9 (No audible response.)

10 CHAIRPERSON JENKINS: Hearing none, all in
11 favor say "aye."

12 (Chorus of ayes.)

13 CHAIRPERSON JENKINS: Any opposed.

14 (No audible response.)

15 CHAIRPERSON JENKINS: Motion passes.

16 Thank you very much for your time.

17 (Proceedings adjourned at 11:24 a.m.)

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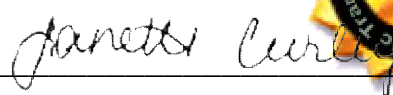

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