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ELECTRICAL CITATIONS AND APPEAL HEARING

TRANSCRIPT OF PROCEEDINGS

October 29, 2026

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TRANSCRIPT OF PROCEEDINGS

OF

ELECTRICAL CITATIONS AND APPEAL HEARING

Tumwater, Washington and via Zoom

October 29, 2026

Page 1 to 167

CERTIFIED TRANSCRIPT

Taken Before:

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for
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A P P E A R A N C E S

BOARD MEMBERS:

CHAIRPERSON JASON JENKINS

SECRETARY RANDY BARNES

BEN BLOHOWIAK

IVAN ISAACSON

CHARLES MYERS

MIKE NORD

JACK KNOTTINGHAM

GREGORY JOHNSON

ROSELYNN MITCHELL

BRIAN MCCANCE

JAMES TUMELSON

ALSO PRESENT:

AAG WILSON SOSA PADILLA

LARRY VANCE - ELECTRICAL INSPECTOR 5

TYLER KENT - ELECTRICAL INSPECTOR 3

KYLE HISSAM - APPELLANT

BRITTON GOODWIN - APPELLANT

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. . . = speaker trailed off
-- = speaker interrupted
(as read) - not an exact quotation of document, paraphrased or not verified with source document
(audio disruption) - digital platform audio feed break or garbled transmission

BE IT REMEMBERED that an L&I 2026 Electrical Citations and Appeals hearing was held on Thursday, October 29th, 2026, at Department of Labor and Industries, 7273 Linderson Way SW, Olympia, Washington 98501 and via Zoom at 9:00 a.m.;

WHEREUPON the following proceedings were had, to wit:

* * * * * * *

INTRODUCTION

CHAIRPERSON JENKINS: It's October 29th, 2026. The time is approximately 9:00. I am Jason Jenkins, the Chair of the Washington State Electrical Board and I would like to call this meeting to order.

This meeting is taking place over the Zoom platform. I ask all individuals, unless Board members, turn off your camera and mute your microphone until you're called upon.

We have a court reporter here taking everything down in the remote nature of this meeting, so it's imperative that only one person is speaking. I'd also ask that you please identify yourself prior to speaking

so the court reporter can properly record it on the record.

At this point I'd ask the members to please unmute your mic's and indicate that you're present when I call out your name. Secretary Randy Barnes?

MR. BARNES: Present.

CHAIRPERSON JENKINS: Our attorney, Ben Blohowiak.

MR. BLOHOWIAK: Present.

CHAIRPERSON JENKINS: Board Member Kerry Cox? Board Member Kevin Davis? Board Member Stephen Entrekin? Board Member Ivan Isaacson?

MR. ISAACSON: Here.

CHAIRPERSON JENKINS: Board Member Gregory Johnson?

MR. JOHNSON: Present.

CHAIRPERSON JENKINS: Thank you. Board Member Jack Knottingham?

MR. KNOTTINGHAM: Present.

CHAIRPERSON JENKINS: Board Member Erick Lee? Board Member Brian McCance?

MR. MCCANCE: Present.

CHAIRPERSON JENKINS: Board Member Roselynn Mitchell.

MS. MITCHELL: Present.

CHAIRPERSON JENKINS: Board Member Charles Meyers? Board Member Mike Nord?

MR. NORD: Present.

CHAIRPERSON JENKINS: And Board Member James Tumelson?

MR. TUMELSON: Present.

CHAIRPERSON JENKINS: Thank you very much.

At this point here -- I did not inform you early on -- but our secretary, do you have a safety message available?

UNIDENTIFIED SPEAKER: Anybody in this room if we have an evacuation, the evacuation for this route is straight out this door and to the left, straight out to that parking lot, stay outside until someone from the building was directed to come back. If you have to be out in the foyer, you're using the bathrooms or out in the foyer, the digress route would be straight out front doors and to the visitor parking lot.

The safety subject for this month is it's holiday season. We're starting to see a lot of outdoor decorations for the holidays, and with that comes extension cords, all the fancy things. Please be careful. Check your GFCI's, test them and check them, look at the cords. Usually your white cords and green cords that you may use inside for Christmas trees or

whatever are not rated for outdoor use. You want to look for and make sure you're using outdoor weatherproof cords. Don't let kids trip over them and just make sure they're secure and out of the way. That's it.

CHAIRPERSON JENKINS: All right. Perfect. And since you mentioned the holiday season, just a reminder this weekend we have Halloween going on. There will be lots of people walking around, just be aware. Just a side note. Thank you very much.

ITEM NUMBER 2

CHAIRPERSON JENKINS: So at this point here we're on Item Number 2, approval of transcripts. The Chair would entertain a motion to approve transcripts of July 30th, 2026.

MR. NORD: Board Member Nord, motion.

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

MS. MITCHELL: Roselynn Mitchell, second.

CHAIRPERSON JENKINS: We have a motion and a second. Any discussion? Hearing none. All in favor say, "aye."

(Unanimous aye.")

CHAIRPERSON JENKINS: Any opposed? Motion passed. Thank you.

HEARING OF KYLE HISSAM

CHAIRPERSON JENKINS: So we have a few people on the agenda today. The hearings will be presided over by an Administrative Law Judge from the Office of Administrative Hearings. On your packet today, letter A, in regards to Kyle Hissam appealing Department decisions, a revocation of electrical certificate, HISSAKJ772JD.

For the first time today for us the hearing will be held pursuant and due to proper notice to all interested parties in Tumwater, Washington on October 26th, 2026 at approximately 9:05 a.m..

The matter is set before the Board. Do we have Kyle Hissam or a representative present?

MR. HISSAM: Present.

CHAIRPERSON JENKINS: Can I have you state and spell your name for the court reporter, please?

MR. HISSAM: Kyle Hissam, K-Y-L-E H-I-S-S-A-M.

CHAIRPERSON JENKINS: Thank you very much. And who is here to represent the Department?

MR. SOSA PADILLA: Good morning. Wilson Sosa

Padilla representing the Department.

CHAIRPERSON JENKINS: Can you spell your name, please?

MR. SOSA PADILLA: Yes. S-O-S-A P-A-D-I-L-L-A.

CHAIRPERSON JENKINS: Thank you very much. I'll now introduce our Judge Martin from the Office of Administrative Hearings. The Electrical Board has invited him here to preside over today's hearings. At this time I'd ask the Judge Martin to take over and proceed with this hearing.

ALJ MARTIN: Thank you very much. My name is Administrative Law Judge TJ Martin. I'm with the Office of Administrative Hearings. I'm presiding over the matter of Kyle Hissam. I'm just the presiding judge only. The actual Electrical Board will actually be the person's who will be deciding this matter accordingly.

Mr. Hissam, can you hear me okay?

MR. HISSAM: I can.

ALJ MARTIN: Very well. And Assistant Attorney General Sosa Padilla representing the Department of Labor and Industries, can you hear me okay?

MR. SOSA PADILLA: Yes.

ALJ MARTIN: All right. This is the matter of Kyle Hissam. This is the intent to revoke the electrical certification of Mr. Hissam. That case

number for the court reporter is HISSAKJ772JD.

Now, today is Thursday October 29th, 2026 and the time is now 9:08 a.m. pacific time. I have both Kyle Hissam as well as a representative on behalf of the Department of Labor and Industries present for today's revocation hearing.

Essentially the issue before this Electrical Board is to decide whether the electrical certification of Mr. Hissam should be revoked. Now, what I would like to do now is just briefly outline the process for this morning's factfinding evidentiary hearing before the electrical board.

Now, what will happen after I get done describing the process for the hearing is to have a discussion regarding the admission of exhibits. So if the Appellant and/or the Department has submitted exhibits for the electrical board to review and consider, I will take up a discussion whether or not those exhibits should be admitted into the record.

If they are, that means the parties are welcome to references them during the course of the hearing and they will have copies to review as well. After that, I will take up any preliminary matters or motions before moving on to opening statements.

Now, opening statements for those who are

unfamiliar is just your brief opportunity to outline what you anticipate to present during today's factfinding evidentiary hearing. This is not testimony or evidence, it's more argument as to what you anticipate to present to the Electrical Board this morning.

Now, in a case such as the intent to revoke an electrical certificate, the burden of proof is on the Department to establish such a revocation being appropriate by a preponderance of the evidence which is a more likely than not burden and standard of proof. And so as such I will allow Assistant Attorney General Sosa Padilla to go first if he wishes to provide an opening statement on behalf of the Department. After that, Mr. Hissam, you can either provide an opening statement as well, reserve it for the presentation of your case, or waive it all together. It's entirely up to you.

After that, I will then turn it over to the Department and Assistant Attorney General Sosa Padilla to present the Department's case as to why the revocation would be appropriate in this case.

Essentially at that point, Mr. Sosa Padilla, you are welcome to call any witnesses that have previously been disclosed. Essentially I will swear in that

witness or those witnesses. You can ask questions of that witness or those witnesses in direct examination. And then of course when you are done, Mr. Hissam, you will have every opportunity to ask questions of that witness or those witnesses in cross-examination. Once you have conducted cross-examination or asked any cross-examination questioning, I'll bounce it briefly back to Assistant Attorney General Sosa Padilla for any redirect examination.

After that, after the Department has presented its case and essentially laid out the framework for why the Department is seeking to revoke Mr. Hissam's electrical certification, I will then turn it over to Mr. Hissam. Mr. Hissam, you'll have every opportunity if you'd like to testify and essentially explain to the electrical -- the Electrical Board why the revocation of your certification is not appropriate.

If you wish to testify, I'll place you under oath and you're welcome to explain the facts and circumstances of why revocation is not appropriate.

After you have told the Electrical Board everything you would like them to understand regarding this matter, then I will allow Mr. -- Assistant Attorney General Sosa Padilla to ask questions of you in cross-examination. After he has concluded his

questions, you are welcome to provide any rebuttal testimony before then concluding your case.

After that, I will then turn to the Department and the Assistant Attorney General Sosa Padilla for any rebuttal case by the Department before moving on to closing statements.

Now, closing statements, in similar fashion to opening statements, is just each parties opportunity to explain to the Electrical Board why revocation would or would not be appropriate. After each party -- both the Department and the Appellant -- have had a chance to provide closing statements, I will then close the record and essentially turn this matter over to the Electrical Board as the trier of fact to reach a decision regarding this matter.

I understand that the Electrical Board may want to deliberate in executive session regarding this matter. After the record is closed, I will then turn it over to Chairperson Jenkins to conduct the executive session and/or deliberation in this matter.

Essentially, that's what will occur during today's factfinding evidentiary hearing. I want both the Department as well as the Appellant to rest assured that both parties will have an equal opportunity to present their respective cases.

Now, I understand I went through describing the hearing process fairly quickly. Assistant Attorney General Sosa Padilla, do you have any questions regarding that hearing process?

MR. SOSA PADILLA: Yes, Judge. Based on the notice or request for appeal issued by the Electrical Board, my understanding is the appealing party has the burden of proof and they will -- in this case Mr. Hissam -- will be presenting the case first.

And I just want to clarify, like, OAH cases in which the issue is a citation, in those cases RCW specifies that the Department has the burden of proof. But in this specific case the RCW and the WAC do not shift the burden onto the Department. And, I'm sorry, I wanted to stop you when I started hearing what you were saying, but I didn't want to be rude and I wanted to confirm.

ALJ MARTIN: Okay. Well, thank you very much for that, Assistant Attorney General Sosa Padilla. I understand you are referencing, I believe it is, WAC-26B-995; is that correct.

MR. SOSA PADILLA: Yes. Are you talking about the --

ALJ MARTIN: Yes. Well, how about this, I will -- you're welcome to make an argument regarding the

burden of proof and, Assistant Attorney General Blohowiak, you represent or advice the Electrical Board, you're welcome to provide the Electrical Board who has the standard burden of proof. Okay?

However, Assistant Attorney General Sosa Padilla, you do contend that the Appellant has the burden in this case. For the sake of clarifying and presenting the evidence in this case, I'm not sure that I might suggest for the purposes of the Electrical Board maybe the Department presented initial case and, kind of, show its math, so to speak, of how it came to the point of now seeking Mr. Hissam's electrical certification? Do you have any objections to that?

MR. SOSA PADILLA: No objection.

ALJ MARTIN: Thank you. I appreciate that. I do that usually for two reasons. First of all, I would like to have the Electrical Board essentially see how the Department came up with its decision in the intent to revoke the certification of Mr. Hissam. And then, more importantly, Mr. Hissam, that will allow you the opportunity to hear what the Department is relying on as part of its evidence and more narrowly allow you a target to make your argument that you take dispute with. Does that make sense, Mr. Hissam?

MR. HISSAM: Yep.

ALJ MARTIN: Very well. Assistant Attorney General Sosa Padilla, any other questions?

MR. SOSA PADILLA: No.

ALJ MARTIN: Okay. And, Mr. Hissam, do you have any questions regarding that hearing process?

MR. HISSAM: No, sir.

ALJ MARTIN: Okay. Very well. Do any of the Electrical Board Member's have any questions of me before we jump in?

MS. MITCHELL: No.

ALJ MARTIN: All right. Hearing none. Let me move on to the admission of exhibits.

Assistant Attorney General Sosa Padilla, does the Department of Labor and Industries have any exhibits it wishes to introduce into record?

MR. SOSA PADILLA: Yes, Judge. I have Exhibit 1. And, by the way, I just sent a few minutes ago a copy of this exhibit to the website for electrical citations and also to Mr. Hissam.

Mr. Hissam, can you please confirm that you received that e-mail?

MR. HISSAM: I got one in the mail. I got the letter from you in the mail.

MR. SOSA PADILLA: I sent you an e-mail to I believe khissam@gmail.com and I just want to confirm

that you received that e-mail probably ten minutes ago with the exhibit's the Department wants to admit.

MR. HISSAM: I didn't because my e-mail is Outlook. It's KJHissam@outlook.com, not Gmail.

MR. SOSA PADILLA: Okay. Give me one second.

ALJ MARTIN: And, Assistant Attorney General Sosa Padilla, how many pages is this Department Exhibit Number 1?

MR. SOSA PADILLA: Two pages.

ALJ MARTIN: And, Assistant Attorney General Sosa Padilla, did you provide this exhibit to the Appellant in advance of today's hearing?

MR. SOSA PADILLA: No. I was following the letter from the Board and I just provided a list of exhibits. That's what probably Mr. Hissam is referring to.

ALJ MARTIN: And, Mr. Hissam, you had stated that you had not received that Department Exhibit Number 1?

MR. HISSAM: No, I haven't.

ALJ MARTIN: Okay. Assistant Attorney General Sosa Padilla, do you have any objection if we go off the record for a few minutes so you can provide that e-mail to Mr. Hissam and then allow him a reasonable opportunity to review that before we resume?

MR. SOSA PADILLA: No objection.

ALJ MARTIN: All right. Mr. Hissam, I want to go off the record for a moment. I want to make sure that you receive that e-mail and have a chance to look over that Department Exhibit 1. I just don't want you to be surprised or taken off guard by any exhibits that are introduced. I want to give you a reasonable opportunity to review that exhibit before we proceed further. Does that sound reasonable?

MR. HISSAM: Yeah.

ALJ MARTIN: Okay. Let's go off the record for a moment. And, Assistant Attorney General Sosa Padilla, send that to Mr. Hissam and allow him to review that, and then we'll resume here in a few minutes.

Any objection if we go off the record until 9:30?

MR. SOSA PADILLA: No objection.

ALJ MARTIN: Mr. Hissam, any objection to go off the record until 9:30 for you to review that exhibit?

MR. HISSAM: No.

ALJ MARTIN: All right. We can go off the record.

(Brief recess.)

ALJ MARTIN: We took a break to review

Department's Exhibit Number 1.

Mr. Hissam, after having reviewed Department's Exhibit Number 1, do you have any evidentiary grounds for why that exhibit shouldn't be admitted? Say, for example, you believe it's a forgery or not relevant. Anything why the Electrical Board should not review and consider it in part of deciding this case?

MR. HISSAM: Nope.

ALJ MARTIN: All right. Since there's no objection, Department Exhibit Number 1 is admitted. That exhibit is two pages in length. At this point, not only are the parties able to discuss and reference Exhibit Number 1, but, more importantly, the Board has the opportunity to obtain and review Exhibit Number 1 as a part of deciding this case.

Does the department have any additional exhibits it wishes to introduce?

MR. SOSA PADILLA: Yes. I will propose Exhibit Number 2.

ALJ MARTIN: Okay. How many exhibits in total does the Department anticipate introducing?

MR. SOSA PADILLA: Four.

ALJ MARTIN: All right. Exhibit's 1 through 4. Did you provide Mr. Hissam with the Department Exhibit's 1 through 4 just a moment ago?

MR. SOSA PADILLA: Yes. And I just to want clarify; I have five proposed exhibits, but I'm dropping number 4. So the ones that I will be having is 1, 2, 3 and 5.

ALJ MARTIN: Okay. Excluding Exhibit Number 4?

MR. SOSA PADILLA: Yes. And I believe Mr. Hissam confirmed when we were off the record that he received electronically those four exhibits the Department is introducing.

ALJ MARTIN: Okay. And, Mr. Hissam, did you receive all the exhibits that Assistant Attorney General Sosa Padilla just identified?

MR. HISSAM: I believe so, yes.

ALJ MARTIN: And do you have any objections to any of those four Department exhibits? And, if so, please let me know what exhibit you have an objection to and your basis.

MR. HISSAM: I have none.

ALJ MARTIN: All right. Since there are no objections to Department's Exhibit 1, 2, 3, and 5 those exhibits are admitted into the record. Parties, please, if you're referencing those exhibits throughout the course of this hearing, please let the Board know what exhibit you're looking at and what page number as well so the Electrical Board can review and consider that.

Assistant Attorney General Sosa Padilla, any additional exhibits, or is that all of the exhibits?

MR. SOSA PADILLA: Those are all of the Department's exhibits. And, Judge, I have copies -- hard copies -- if you would like to have hard copies.

ALJ MARTIN: If you want to pass those around to the Electrical Board, you are welcome to. For those Board Member's who are participating by video, if during the presentation of the Department's case, Assistant Attorney General Sosa Padilla, if you could do a screen share of whatever exhibit you may be looking at or referencing you're welcome to do that as part of the presentation of this case. Okay?

And I do see there is a hand raised by the one of members. What is your question?

MR. JOHNSON: Electrical Board Member Gregory Johnson. I want to request that those exhibits get e-mailed out to us for those of us online.

ALJ MARTIN: That sounds more than reasonable. Assistant Attorney General Sosa Padilla or somebody from the Electrical Board, if that could be -- I'm getting the thumbs-up signal. Those should be e-mailed to all member's attending via video. Thank you for doing that.

And then once Assistant Attorney General Sosa Padilla is done passing those out, Mr. Hissam, did you

have any exhibits you wish to introduce as part of presenting your case?

MR. HISSAM: No, sir.

ALJ MARTIN: Okay. All right. The Appellant does not have any exhibits at this time.

Before we move -- let's wait a moment for the Assistant Attorney General to get those out. And then the Board members who are in attendance by video, if you could please let me know when you've received those exhibits I would appreciate it as well. I want to make sure every Board Member is looking at the same exhibit and materials in realtime as this case is being presented.

MS. MITCHELL: Received.

MR. JOHNSON: Received.

MR. MCCANCE: Received.

ALJ MARTIN: Thank you very much for that. Are there any members in attendance by video who have not received them? Hearing none.

Assistant Attorney General Sosa Padilla, any preliminary matters or motions before we move to opening statements?

MR. SOSA PADILLA: No. I just want to clarify, who will be sharing screen with exhibits? Should I or somebody else?

ALJ MARTIN: If you don't mind if you could screen share with yours, that would be preferable unless somebody wants to volunteer. I see no hands raised on volunteering this morning.

Assistant Attorney General Sosa Padilla, if you reference an exhibit, if you could screen share with the Electrical Board I would appreciate it. Thank you.

MR. SOSA PADILLA: Give me one second. I need to log in.

ALJ MARTIN: Do I have another question? Mr. Jack Nottingham?

MR. KNOTTINGHAM: Correct. I'm sorry. I have not received the exhibits. I don't see it.

ALJ MARTIN: Board Member Knottingham, have you -- it may be in a spam folder. Did you check the spam folder as well?

MR. KNOTTINGHAM: I have.

ALJ MARTIN: Jack Knottingham, please let me know when you have received that e-mail with the exhibit.

MR. KNOTTINGHAM: Okay. Thank you.

MR. TUMELSON: I just glanced at the e-mail distribution list and I don't see your name on there, Jack. That may be why you haven't received it.

MR. KNOTTINGHAM: Yeah, there must be multiple distribution lists because I swear I don't get half the

e-mails.

MR. SOSA PADILLA: And I am ready, Judge, to share.

ALJ MARTIN: Great. Thank you. We'll wait to make sure he gets that e-mail, and then we'll proceed with any preliminary matters.

MR. KNOTTINGHAM: I have received them. Thank you.

ALJ MARTIN: Great. Thank you very much.

Assistant Attorney General Sosa Padilla, any preliminary matters or motions before we move to opening statements?

MR. SOSA PADILLA: No.

ALJ MARTIN: And, Mr. Hissam, do you have any preliminary matters or motions before we move on to opening statements?

MR. HISSAM: I don't believe so.

ALJ MARTIN: Okay. I would like to turn it over to the parties to provide a brief opening statement to the Electrical Board, if you would like. This is not evidence or testimony. This is just your brief opportunity to essentially lay out, kind of, what you anticipate to present to the Board as the trier of the facts. You can either provide an opening statement or waive your opening statement. It's entirely up to you.

As I stated, I would like to have the initial case presented by the Department for the Board to get a background, so to speak, of why the Department is seeking to revoke the electrical certification of Mr. Hissam.

At this point, Assistant Attorney General Sosa Padilla, do you wish to provide an opening statement on behalf of the Department Labor and Industries? If so, you're welcome to proceed.

MR. SOSA PADILLA: No. At this point, I will waive. I think this case is pretty straight forward.

ALJ MARTIN: Very well. With the Department waiving its opening statement, Mr. Hissam, do you wish to provide a brief opening statement outlining your, case or reserve it to the presentation of your case, or waive your opening statement? It's entirely up to you. How do you wish to proceed?

MR. HISSAM: I guess I can waive it. I mean, I don't fully understand the purpose of it, so I guess I'll just waive it.

ALJ MARTIN: Essentially it's an appetizer, if you will, of what you will be presenting as part of your case. However, if it was testimony I would place you under oath, but if you want to briefly layout in argument fashion an opening statement you're welcome to.

MR. HISSAM: Okay. So, I mean, what I plan to present is zero argument in regards to what the State is going to present. I'm not here to argue whether or not affidavits were late or anything. We all know they were. I guess what I'll actually be presenting is just my own personal feelings, so . . .

That's all I have.

ALJ MARTIN: Okay. Thank you very much, Mr. Hissam, for providing a brief opening statement. Now, at this point I would like to turn it over to Assistant Attorney General Sosa Padilla to present the Department's case regarding this revocation matter.

Assistant Attorney General Sosa Padilla, does the Department wish to call any witnesses, or how does it wish to proceed with its case?

MR. SOSA PADILLA: The Department will call Mr. Hissam.

ALJ MARTIN: Okay. Mr. Hissam, you've been called as a witness by the Department of Labor and Industries in this appeal. Do you understand that?

MR. HISSAM: Yes, sir.

ALJ MARTIN: Before with you begin testifying, do you mind if I place under oath so anything you tell the Electrical Board will be considered testimony as a part of this proceeding?

MR. HISSAM: Sure.

ALJ MARTIN: Okay. Please raise your right hand. Do you swear or affirm that the testimony you're about to give today is the truth, the whole truth, and nothing but the truth under penalty of perjury?

MR. HISSAM: Yes.

ALJ MARTIN: Let the record reflect that Kyle Hissam has been sworn in. You can put your hand down now.

At this point Assistant Attorney General Sosa Padilla will ask you questions in direct examination. After he's asked his questions, you're welcome to follow up with any clarifying testimony. If at any point during the questioning by the Department you are asked a question that you didn't hear, didn't understand, or were confused by, please immediately stop testifying and have the Assistant Attorney General either restate or rephrase his question before you attempt to respond. Okay?

MR. HISSAM: Okay.

ALJ MARTIN: All right. And if at any point there's an objection made regarding your testimony, please immediately stop testifying so I can hear argument on that objection and then rule it on before you resume testifying. Okay?

MR. HISSAM: Okay.

ALJ MARTIN: All right. And because this is being recorded by a court reporter -- Ms. Manley -- please make sure -- even though the Electrical Board member's can see you by video -- please make sure you respond with a "yes" or "no," rather than a head nod to allow the court reporter who is transcribing this to get down what your response is. Okay? Is that a "yes?"

MR. HISSAM: Yes.

ALJ MARTIN: Okay. Any questions of me?

MR. HISSAM: No, sir.

ALJ MARTIN: All right. So at this point, Assistant Attorney General Sosa Padilla, you are welcome to ask questions in direct examination. Once you are done, I will allow Mr. Hissam -- rather than asking himself cross-examinations questions -- to clarify any testimony. In addition, I will also open up the floor to allow any Electrical Board member's who have questions to ask those as well.

At this point, Assistant Attorney General Sosa Padilla, I'll turn it over to you on direct examination of Mr. Hissam. You can proceed.

MR. SOSA PADILLA: Thank you, Judge.

Good morning, Mr. Hissam.

DIRECT EXAMINATION

BY MR. SOSA PADILLA:

Q I just want to confirm. Are you the person appealing the notice to revoke electrical certificate ending 72JD?

A Yes.

Q Thank you. Can you see -- I'm sharing my screen via Zoom and I'm sharing Exhibit Number 3, Page 3. Can you see that in front of your screen?

A I can see that.

Q Can you tell me what that is?

A It appears to be an affidavit of experience from Tyson R. Gardener (phonetic).

Q And when you're talking about affidavits of experience from Gardener, is this affidavit for hours that you worked?

A It would appear so, yes.

Q Okay. And did you submit this affidavit with Montana L&I or Montana Department of Labor and Industries?

A I submitted hours to Montana, yes. I can't verify whether or not I sent this one. I have a lot of affidavits.

Q Okay. And do you know if this affidavit was approved by Washington State L&I?

A I do not believe they were.
Q Okay. Thank you. Now, I will scroll down same exhibit, Exhibit 3, Page 5. Can you see that exhibit -- that page?
A It says Page 6 on my thing, but if you could read the number on the top I could verify.
Q I just want to clarify -- that's a good point. The Exhibit Number that I will always be referencing is the one on the actual copy at the bottom right. In this specific case you can see the 005 --
A I see it.
Q Right. Don't follow the page number that Adobe is showing. It's going to be off. The one I'll be referencing is the bottom right. Thank you for the comment.
A Okay.
Q I just want to confirm, this is another affidavit for hours that you performed in the State of Washington; correct?
A It would -- yeah, it would appear so. Yes.
Q Okay. And do you remember if you submitted this affidavit with Montana?
A I'm fairly positive. Like I said, I have a lot of affidavits, so I can't actually say this specific one but I would guess yes.

Q Okay. And I will move forward rather quickly because I will be asking you the same questions for all of these affidavits. Now I'm showing Page 7 of Exhibit 3. Can you see it?
A Yes.
Q So this is also another affidavit with hours of experience that you had in Washington State; correct?
A Yes.
Q And do you remember if you submitted this one with Montana?
A No. I mean, again, I -- yeah, no.
Q You don't recall?
A I don't have it in front of me. I don't want to -- I'm not going to give you a definite on any of them because I'm not sure and I don't want to lie.
Q Thank you very much. So we're talking that you submitted those affidavits of experience similar to one of this similar form signed by somebody who is -- well, strike that.

You said that you submitted Washington State affidavits of experience with Montana. Do you remember that?
A Yes, I did.
Q Why is it that you submitted Washington State affidavit with Montana?

A Why did I?
Q Yes.
A Because they asked for them. I wasn't -- I was trying -- they asked for them.
Q What were you trying to do?
A Transfer hours to the State of Montana to get a license there.
Q To get a license there you said?
A Yes. To get -- to get an electrical license there, yes.
Q What type of electrical license?
A I don't even know how else to say that. Electrical license, what do you mean by that?
Q I just wanted to clarify. When is it that you submitted Washington State affidavits with Montana?
A Can you say that again?
Q When did you submit these affidavits with Montana L&I?
A I don't have that in front of me. I can't give you a date, but if you have it in one of your exhibits I'm sure we could look back on it.
Q Do you remember the year at least?
A No, I don't. I'm going to be honest with you. If I had to guess -- I could guess, if you want me to.
Q It's fine. What happened after you submitted this affidavit of experience from Washington State to Montana? What did Montana L&I do?

A I'll also make it very clear. I told Montana that Washington State rejected them and Montana said we will gladly accept them regardless of what Washington State said. So I want that to be on the record. I was very honest with everything from the start.

What happened after that is Montana said, "Oh, we will gladly accept those," and they accepted those as hours and submitted them into their record. That's what happened.

Q And what were those -- and what happened after that? Did you take an exam?

A Yeah. I took an exam. I hold a Montana license. If you're trying to get to how I got to Washington, if that's where you're going, we can jump to that.

Q I'll stop you for a second.

So you're saying you took an exam. Where did you take that exam?

A I believe it was in Missoula, Montana. I lived there for a few years, so I could be off on that. I'm almost positive it was in Missoula, Montana.

Q Okay. And did you also take the electrical exam in Washington State?

A I did take it in Washington State. That was in Richland, Washington.

Q How is it that you were able to take that Washington

State exam?

A I had Montana -- I asked Montana if they could submit my hours which they accepted as their hours in their records to Washington, and Washington sent me a letter saying I could take the test. I went and took the test and passed it first try.

Q Thank you. Give me one second. I will be sharing a different screen.

I'm sharing a different screen. Can you see?

A Yes. 001?

Q Yes. So, for the record, I'm sharing Exhibit 1, Page 1.

And Mr. Hissam, is this the out-of-state application that you submitted with Washington State L&I to take the O1 exam (phonetic)?

A Yeah, it would appear so. It says, "Out-of-state application for electrical examination."

Q Thank you. And then I will now switch to Page 2, Exhibit 1. Can you see that?

A Yes.

Q Is this the document that you were referencing earlier saying that Montana approved your hours that you submitted alongside Page 1 of your application?

A I mean, they sent it to the State, so . . .

That looks -- I can't recall if I sent it in as

well, or if they just sent it in to Washington. That looks official, so I'm good with that.

Q I just want confirm. In here this letters says, "Hi, Kyle, we approve you to take the Montana electrical journeymen exam based on the 15,855 commercial electrical hours and 50 residential electrical hours that were submitted and approved." Do you see that?

A Okay. So, no, that's not what they sent because that's a letter to me.

Q Okay. And so in that letter, is that a letter that you attached to Page 1 of Exhibit 1?

A Maybe. I can't recall.

Q Okay. And I just want to confirm, Page 2 of Exhibit 1 it talks about 15,855 commercial electrical hours. Do you see that?

A Yes, I can see that. Yes.

Q Okay. Were all those hours -- they were earned in Washington State; correct?

A Yes.

Q And the 50 residential electrical hours that Montana approved, they were earned also in Washington State; correct?

A Yes.

Q Thank you.

A Which I'll point out has never been brought up to argue.

Q Give me one second, Mr. Hissam.
A Okay.
Q Can you see now Page 16 of Exhibit 3?
A Yes.
Q Can you tell us what that is?
A It looks like a copy from PSI Testing Center with a photo of myself without a hat on, unfortunately. And exam results passed with a score of 76 percent.
Q Okay. So (audio disturbance), right?
A Yeah. They break the sections into two.
Q Okay. And then let me show Page 18 of Exhibit 3. This is a similar certificate or proof that you passed the other part of the exam; correct?
A Yeah. General NAC and theory exam passed with a score of 75 percent. Yes.
Q And you used these two passing scores to apply for the Washington State electrician certification; correct?
A No. The way it works is you take a test, and the rest is done behind closed doors. I took the test, but I didn't submit those. It's all done behind closed doors somewhere.

MR. SOSA PADILLA: Okay. Give me one second. I want to look at my notes.

MR. HISSAM: Okay.

MR. SOSA PADILLA: I don't have any more

questions for Mr. Hissam.

ALJ MARTIN: Okay. Thank you very much.

Mr. Hissam, instead of essentially asking cross-examination questions of yourself, is there anything you wish to clarify you were asked in response to those questions that were just asked by Assistant Attorney General Sosa Padilla?

MR. HISSAM: I don't believe so.

ALJ MARTIN: Okay. And then you'll have a chance to testify shortly if you would like.

MR. HISSAM: Okay.

ALJ MARTIN: Since Mr. Hissam has no questions to follow-up in his own cross-examination, I would like to open up the floor to any of the Board Members. If they have any questions, please raise your hand and you're welcome to ask questions.

Do any of the Board Members have any questions? If so, you're welcome to ask.

MR. JOHNSON: Board Member Gregory Johnson. It was referenced during the examination that Washington rejected the affidavit for hours. Can you elaborate on why Washington rejected them?

MR. HISSAM: I'm assuming that's to me, correct.

MR. JOHNSON. Yes.

MR. HISSAM: They -- when I went to go submit

them -- I believe it was in 2019 -- that new law rolled around where you lose all your hours after 180 days. That didn't exist prior to that and so I -- they were rejected based off of turning them in late and -- yeah. They didn't allow me to appeal it which we learned was not legal. Back then they told me I wasn't allowed to appeal it. That's why they were denied.

MR. SOSA PADILLA: I will object to the part of the legal conclusion or legal testimony regarding what is legal.

ALJ MARTIN: All right. Mr. Hissam, your response to that objection regarding your testimony regarding a legal conclusion?

MR. HISSAM: I'm alright with him objecting to it. That's the facts. There has to be some sort of legislative -- there has to be something in place for administrative law to allow zero appeal. They didn't have that in place. Anybody can look that up.

I've already submitted a petition to the State, which they already acknowledged and said that's accurate and they will be changing that in the RCW 's and WAC's.

I don't mean anything by it, I'm just saying I should have been afforded the right to appeal that. I was told I wasn't. That's on phone record. That's all I'm saying by that. Legally, I was supposed to be

afforded the right to appeal that decision and I was not.

ALJ MARTIN: Your response?

MR. SOSA PADILLA: Same objection. He was responding to my objection, but there could be testimony as well.

ALJ MARTIN: Okay. I'll allow the question from Electrical Board making a distinction between Mr. Hissam's legal knowledge and what his understanding was as the Appellant in that process. I'll allow his response to the extent not of what the law was at that time, but what his understanding was of the process as it applied to him as he understood it.

Any additional questions, Board Member Johnson?

MR. JOHNSON: I was wondering does Montana have any limitation on the submitting your hours timeline for that?

MR. HISSAM: I know this for Montana specifically, no, they don't. And I will go on a limb and say no other state does, at least all the ones I've talked to.

MR. JOHNSON: Do you know is there any stipulation on hours or limitations on hours accepted by other states for Washington to acknowledge and accept?

MR. HISSAM: Yeah. There are other stipulation.

Like, for example, Oregon won't accept the hours if you don't have schooling to back it. That would be a stipulation by Oregon. There's multiple states that have that specific stipulation. The 16 states that reciprocate with Montana do not share the loss of your work to hours completely if they're late. I can say that.

ALJ MARTIN: All right. Any other questions by any of the other Board Members? If so, please raise your hand. You're welcome to ask. Okay. Hearing no other questions.

Let me turn back to Assistant Attorney General Sosa Padilla. Anything in redirect questioning in follow up based on the Electrical Board Member's question or follow up testimony by Mr. Hissam you wish to ask in redirect? If so, go ahead.

MR. SOSA PADILLA: Nothing further, your Honor. Thank you.

ALJ MARTIN: All right. Since there's no further questions, you conclude your testimony of Mr. Hissam as a Department witness. Of course, you're the Appellant, so you're welcome to remain in the hearing.

Assistant Attorney General Sosa Padilla, does the Department have any additional witnesses they wish to call?

MR. SOSA PADILLA: The Department will be calling Inspector Tyler Kent.

ALJ MARTIN: Okay, Inspector Kent. And is this inspector present? Oh, all right.

So, Inspector, you have been called as a witness in the matter of Kyle Hissam. Do you understand that?

THE WITNESS: Yes.

ALJ MARTIN: Okay. Now, before you beginning testifying, do you mind if I place you under oath so anything you tell the Electrical Board will be considered evidence?

THE WITNESS: Yes.

ALJ MARTIN: Please raise your right hand. And do you swear or affirm that the testimony you're about to give in today's hearing is the truth, the whole truth, and nothing but the truth?

THE WITNESS: Yes.

ALJ MARTIN: Let record reflect that Inspector Tyler Kent now has been sworn in.

Now, at this point you'll be asked direct examination questions by the Department's representative Assistant Attorney General Sosa Padilla, followed by cross-examination questions by the Appellant Kyle Hissam if he has any, as well as possibly questions by the Electrical Board.

Now, if at any point you're asked a question you didn't hear or were confused by, please immediately stop the proceeding and ask that person to rephrase, restate, or repeat their questions before you attempt to answer. Okay?

THE WITNESS: Okay.

ALJ MARTIN: And if there are any objections during the course of your testimony, please immediately stop testifying and I'll rule on it before you resume testifying. Okay?

THE WITNESS: Okay.

ALJ MARTIN: And because a court reporter is assigned to this case and transcribing this, please make sure you answer "yes" or "no" so the court reporter can pick up your response. Okay?

THE WITNESS: All right.

ALJ MARTIN: Any questions before I turn it over to Assistant Attorney General Sosa Padilla to ask you questions on behalf of the Department?

THE WITNESS: No.

ALJ MARTIN: Okay. At this point, Assistant Attorney General Sosa Padilla, I turn it over to the Department of Labor and Industries to proceed with direct examination questions.

MR. SOSA PADILLA: Thank you, Judge. And, just

for the record, Mr. Kent was present when Mr. Hissam was testifying. Even though he's a witness, he was present because he's the Department representative.

DIRECT EXAMINATION

BY MR. SOSA PADILLA:

Q Mr. Kent, can you tell us who do you work for?
A Washington State Labor and Industries.
Q What position do you have?
A Electrical Inspector 3 E-CORE.
Q And what is -- for how long have you been an electrical inspector 3 E-CORE?
A I was hired July 1st, 2015.
Q And what do you do as an electrical inspector 3?
A We do technical reviews, also electrical compliance.
Q And can you expand a little bit on that?
A Yes. So all applications that require further review from licensing will get referred over to technical review, such as this out-of-state application.
Q How many Department employees do these technical reviews?
A I -- myself and one other specifically are doing the electrical technical reviews.
Q And you were talking about something E-CORE, what is

that?
A E-CORE is electrical, compliance, education, and regulations -- sorry -- regulations and education.
Q So is that a subset of -- what does that mean, just briefly?
A Yeah. So E-CORE tries to level the playing field looking at people that are creating or -- or, are potentially noncompliant with underground economy.
Q Can you tell us a little bit about your background?
A Yes. I've been an electrician since 2008 in Oregon and Washington.
Q Okay. How do you know Mr. Hissam?
A I met Mr. Hissam by his applications submitted back in 2023.
Q And what type of application are you talking about?
A It was out-of-state application referred to in Exhibit 1.

MR. SOSA PADILLA: Okay. Let me share Exhibit 1. Okay. I'm sharing my screen with everybody via zoom.

BY MR. SOSA PADILLA:

Q Exhibit 1, Page 1, is this what you were referring to?
A Yes.
Q And do you remember the Page 2 of Exhibit 1 was added to Mr. Hissam's application?
A That is correct.

Q Can you remind me when was that you received or the Department received this application?
A Looks like the -- it looks like licensing received it October 18th, 2023.
Q And what happened after the Department received this application?
A I -- they then referred it over to technical review for additional review of the out-of-state.
Q And I'm assuming you were selected to review it?
A Yes.
Q Okay. And what did you do when you received this application?
A I received the application, I looked at Montana had approved him to take their exam, and based on the information I had at that time I approved him to take the Washington State exam.
Q When is it that you approved Mr. Hissam to take the Washington state exam?
A On 10/24/2023.
Q Thank you. And what happened after -- did you have any other interactions with this case, or file, or application?
A No, not -- not for a while. There was on, I believe, January 1st, 2026 I received an anonymous complaint that Kyle did not qualify for the Washington exam.

Q When you say Kyle, are you talking about Mr. Hissam?
A Yes.
Q Okay. And did you receive the complaint, or did the Department?
A The Department received the complaint.
Q And so did the Department send it to you?
A I was notified about it that there was likely a mistake for me approving him initially, and so when I found out that there was potentially an error on my part I reached out to Kyle to let him know that the Department was going to look into how he qualified and where these hours came from.
Q So you started an investigation?
A I started an investigation.
Q What did you learn from that conversation with Mr. Hissam? What did he tell you?
A He told me exactly what he's been saying that they were hours that were worked in Washington and were reported as untimely therefore he wouldn't get the credit for it, but Montana did not care if he took those hours to test over in Montana.
Q Okay. What happened next?
A I got -- I spoke with my supervisor and talked to him about that these hours were not, in fact, worked in Montana, they were originally from Washington state.

Q Okay. And then what happened next?
A My supervisor reached out letting Kyle know that there was going to be an intent to revoke his certificate due to deficiencies lined out in the WAC.
Q Okay. I want to go to Exhibit 3, Page 1. I'm sharing it here on the screen. On the top it says, "Montana Department of Labor and Industries." Can you just tell me what is this whole Exhibit 3? Can you tell us what that is?
A Yes. It's just a breakdown of when Kyle took the hours worked here in Washington, brought them over to Montana. And Montana has their own little guidelines here of -- with their qualifications for taking the exam. And it looks like the affidavits that follow are the affidavits that were the hours gave here in Washington State.
Q And going back a little bit, who created these -- all these -- this document that is called Exhibit 3?
A It looks like Montana was the one who e-mailed this over.
Q Who did Montana e-mail it to?
A To Washington -- the Electrical Board and to -- well, this was what they sent over to me.
Q And do you remember being also included in that e-mail?
A Yes.

Q Okay. So you received this document?
A Yes.
Q Okay. Perfect. We were talking about Affidavit of Experience. Can you just, generally speaking, tell us what an Affidavit of Experience is for people who are not electricians?
A Yes. So an Affidavit of Experience is work that is lawfully gained during either the electrician or electrical training cycle which is good for two years span. During that time you have to meet direct supervision, keep your card active, and then you also need to make sure that it was submitted within 180 days at the end of your training cycle.
Q What would happen if those affidavits are not submitted with the Department within that timeframe?
A They are reported as untimely and discredited.
Q Okay. So they don't count as hours?
A Correct.
Q Okay. And I want to go now to Exhibit 5. Can you tell us what Exhibit 5 -- it's only page -- is?
MR. HISSAM: That's not updating on my end. The exhibits haven't changed for a while now.
MR. SOSA PADILLA: Okay. Let me see. Thank you for letting me know. Anybody if you see there is no change in exhibits, just let us know.

Can you see now?

MR. HISSAM: Yeah.

MR. SOSA PADILLA: Okay. I'm sharing my screen Exhibit 5. It's only one page. On the top right it says, "Hours of specialty," and on the top left it says, "License," and there's a license number.

BY MR. SOSA PADILLA:

Q Mr. Kent, can you tell us what that is -- this exhibit is?

A This is a copy of Mr. Hissam's training certificate with the history of his affidavits for the timeframes being reported with the electrical company at that time who he had worked for.

Q And I just want to confirm; the Department is intending to revoke an electrical certificate that the number is HISA -- sorry -- HISSAKJ772JD, but in here it's showing a different license number. Where is that?

A This here is the electrical training certificate, so this is what you hold prior to becoming an active certified electrician.

Q So all of the hours earned are released on and then they are submitted as affidavits, they are done under an electrical trainee license number?

A That's correct.

Q And did you have an opportunity to -- can you tell me what happened with all of these affidavits that we can see here on Exhibit 5?
A From what we can see is that there was hours given, but if you trace -- if you trace the history of the affidavit's which are outlined in Exhibit 3, those are the hours that was submitted to Montana.
Q Okay. So I just want to clarify. This one shows -- Exhibit 5 is showing affidavit's. Were these affidavits approved or not?
A One was approved for 1,730 hours.
Q Okay. So the rest were not approved?
A That's correct.
Q And what you're saying is that these affidavit's are the same as ones that Mr. Hissam submitted with Montana based on Exhibit 3?
A Yes. That is what Montana received.
Q Okay. So why is it that the Department is intending to revoke Mr. Hissam's electrical certificate ending in 72JD?
A After further review and finding out that the hours did not come from Montana, it was determined that it did not follow WAC 296-46B-945 subsection 10.
Q Give me one second. I'll try to share that one.
MR. HISSAM: I can't hear anything.

MR. SOSA PADILLA: Give me one second. I'm sharing my screen. So here is not an exhibit, I'm just sharing my screen of WAC 296-46B-945. I have in here just one paper copy.

Chair, do you want it or Mr. Nord, just to follow if you want to.

ALJ MARTIN: I will make a note that the Electrical Board Members are welcome to take judicial notice of what is being handed around as Washington Administrative Code 296-46B-945.

You can proceed, Assistant Attorney General Sosa Padilla.

MR. SOSA PADILLA: Thank you, Judge.

I zoomed in so hopefully people via Zoom can see better, but, of course, you can find this online.

BY MR. SOSA PADILLA:

Q So, Mr. Kent, you were talking about WAC 296-46B-945 subsection 10. Why is it that Mr. Hissam's license was in violation of that subsection?

A The hours were not worked in the state that certifies that -- sorry -- the hours were not worked in Montana and Montana requires that they at least work in the state for those to be credited. And Washington State 945-10A is that the work has to be in that state where it was performed in order for it to be credited.

Q Okay. And I just want to confirm, is this subsection 10A applicable regardless of whether the state requires electrician certification or not -- the other state?
A Yes.
Q It doesn't matter?
A Does it matter? Yes. It matters that those hours are worked in that state, yes.
Q Okay. Do you know if Montana requires electrician certification?
A It does.
Q How do you know that?
A I've spoken with Montana Labor and Industries regarding other cases, and checked out their regulations, and made contact with them.
Q Thank you. So I just to want clarify, especially for people who -- like me and the Judge who are not electricians -- I'm reading here what 296-46B-945 subsection 10A and the second sentence says, "Credit will not be allowed for work not done within the certifying state." Is that what you -- basically the reason that you were stating?
A Yes.
MR. SOSA PADILLA: Okay. Give me one second. Let me look at my notes.

Could we take a five minute break so I can talk with my client.

ALJ MARTIN: Mr. Hissam, any objection to taking a five minute break?

MR. HISSAM: Nope.

ALJ MARTIN: It's 10:26. Actually, let's go back on the record in 9 minutes. That will give the court reporter an opportunity to rest her fingers for a few minutes. Everybody can take a rest break.

We'll go off the record until 10:35.

(Brief recess.)

ALJ MARTIN: We're now back on the record.

Assistant Attorney General Sosa Padilla, do you have any preliminary matters, or do you want to resume with your questions?

MR. SOSA PADILLA: I have a preliminary matter. I just sent the Exhibit Number 6. That is the notice of intent to revoke. That is what is on appeal. I just want to confirm with Mr. Hissam if he received it.

Mr. Hissam, did you receive the e-mail I just sent?

MR. HISSAM: Yes. The Department of Labor and Industries notice of intent to revoke?

MR. SOSA PADILLA: Yes.

MR. HISSAM: Got it.

MR. SOSA PADILLA: Thank you. And I believe somebody here from the Department will be forwarding that e-mail to all the Board Members, but if you want we can resume and I can just show the exhibit.

ALJ MARTIN: Okay. And, Assistant Attorney General Sosa Padilla, are you seeking to admit Exhibit Number 6 into the record?

MR. SOSA PADILLA: Yes.

ALJ MARTIN: Okay. And, Mr. Hissam, have you had an opportunity to review Department Exhibit Number 6 and, if so, do you have any evidentiary objection as to why the Electrical Board should not review and consider in deciding your case?

MR. HISSAM: No.

ALJ MARTIN: Since there's no objection, the Department Exhibit Number 6 is admitted into the record.

The parties are welcome come to reference or refer to it, as well as the Board Members may review it as part of deciding this case.

Assistant Attorney General Sosa Padilla, you can resume with your direct examination questioning of the Department inspector.

MR. SOSA PADILLA: Thank you.

BY MR. SOSA PADILLA:
Q Mr. Kent, do you remember testifying regarding the affidavit's that he submitted with the Department that were rejected or not approved?
A Yes, I do.
Q Can you tell us what is the procedure -- or, at least back in 2022 when the Department rejected those affidavit's, what was the procedure and timelines?
A Prior to July 1st, 2019, the Department allowed 30 days to submit an affidavit by end of renewal. Then after 2019 they extended it from 60 days up to 180 days to submit affidavits to gain credit.
Q Thank you. And in this specific case or any case, does the Department have discretion when an electrical trainee submits affidavits late to accept them or deny them?
A No. If they're late, we cannot accept them.
MR. SOSA PADILLA: Okay. I will be sharing right now -- and hopefully by now everybody has Exhibit Number 6. Give me one second.
BY MR. SOSA PADILLA:
Q Mr. Kent, can you see Exhibit Number 6? And I believe you don't have a paper copy, but you can look at my screen. Can you tell us what Exhibit 6 is?
A Yes.

Q What is that?
A It is intention to revoke Mr. Hissam's electrical certificate.
Q So that is what is on appeal; correct?
A That is correct.
Q Okay. And so I'm assuming that the license is not currently revoked; correct?
A That is correct.
Q Why is that?
A It has been active this entire process. The individual has the right to appeal and go through all of the legal hoops, I would say, to -- to basically fight for his side.
Q Okay. Going back to the reason for the intent to revoke the electrical certificate, you were I'm talking about subsection 10 I believe; correct?
A Yes.
Q Is there any other subsection that would apply in this case?
A Subsection 945 4C and D would not other potential paths.
Q And can you explain to us what Subsection 4C and D state?
A Yes. So subsection C out-of-state is 8,000 hours were worked supervised in the State of Montana. And D would be that he worked 16,000 hours out-of-state via new

commercial and industrial.
Q And in this specific case, how were those subsections not met?
A They weren't met because he did have not 16,000 hours, nor did he have 8,000 hours worked in Montana.
Q Okay. Thank you. Now, I want to ask you under RCW 19.28.241 titled Revocation of Certificate of Competency -- and, again, is RCW 19.28.241 -- subsection 1A says, "the Department may revoke any certificate or competency upon the following grounds. A, the certificate was obtained through error or fraud." In this case, in the case of Mr. Hissam, who committed an error? Mr. Hissam or the Department?
A The Department did.
Q And does it matter that the Department committed the error?
A No.
Q Why not?
A We see it recognized as it could be an error on the Department or an error on documents that were submitted by the individual.
Q Okay. And then I see 296-46B-998 2A, it also talks about suspension or revocation and it talks about the Department may revoke or suspend a license if, A, license, or certificate, or permit was obtained

through error or fraud.

Here is the same question. It's talking about error. Does it matter whether the error was committed by the Department or by the electrician?

A That's correct.

Q It does matter or it doesn't?

A It does not matter.

Q Okay. I think that I'm almost done.

And I just want to confirm, Mr. Kent, you were talking about basically the interpretation of the rules and regulations. Specifically you were talking about WAC 296-46B-998, and RCW 19.28.241, and WAC 296-46B-945, so I just to want confirm that are you here today also to testify on behalf of the Department regarding the interpretation of those rules?

A Yes.

MR. SOSA PADILLA: Okay. I have no more questions.

ALJ MARTIN: All right. Mr. Hissam, do you have any questions for the Department's witness? If so, you're welcome to ask any questions.

MR. HISSAM: Thank you. I have one. Do I say Tyler? Does it matter?

THE WITNESS: Tyler Kent.

MR. HISSAM: Okay.

ALJ MARTIN: Go ahead.

CROSS-EXAMINATION

BY MR. HISSAM:

Q To clarify, before 2019 when you had 30 days to turn in affidavits, if you turned them in late did you lose all of your hours?

A Prior to 2019?

Q Prior to the 2019 and the 180 day rule that you spoke about?

A Yes, you would. Prior to 2019 was the 30-day.

Q Yeah. But what would happen when you turned them in late?

A They would not be counted.

MR. HISSAM: Oh, interesting. Okay. That was not my knowledge. My knowledge was there was a late fee and they still count it.

That was all I had. I wanted to clarify that.

MR. SOSA PADILLA: I will object and move to strike the comment from Mr. Hissam. It was not a question, it was a comment.

MR. HISSAM: I'm fine with that.

ALJ MARTIN: I'll sustain the objection regarding the statement made by Mr. Hissam of his understanding

about those rules.

Mr. Hissam, you're welcome to testify when the time comes regarding your understanding in this case. Okay?

MR. HISSAM: Thank you.

ALJ MARTIN: Any additional questions you have for Mr. Kent?

MR. HISSAM: Nope.

ALJ MARTIN: All right. Now, at this point, do any of the Board Members have any questions of Mr. Kent? If so, you're welcome to ask them now. If you're appearing by video, please put up your hand and ask your question.

Go ahead Board Member Johnson.

MR. JOHNSON: Mr. Kent, I was wondering do you know by how many days was the affidavit's late on -- when Washington rejected them initially?

THE WITNESS: I don't have that information in front of me.

ALJ MARTIN: Any additional questions by any of the Board Members appearing by video or in person?

MR. BARNES: This is Randy Barnes.

Tyler, what's the requirement in WAC for trainees to renew, how long?

THE WITNESS: Every two years.

MR. BARNES: And that's under the same section that you were talking about for the 180 days?

THE WITNESS: That is correct.

MR. BARNES: What is the requirement for reporting affidavits in 19.28 for reporting experience?

THE WITNESS: That -- that they have to get that turned in at the end of their training cycle.

MR. BARNES: So no allowance?

THE WITNESS: No allowance.

MR. BARNES: So no allowance for 80 -- 180 days?

THE WITNESS: No.

ALJ MARTIN: Any additional questions? Hearing no further questions by the Board Members.

I'll turn back to redirect for the Department.

Assistant Attorney General Sosa Padilla, any redirect exam questioning based on the question asked by Mr. Hissam's cross-examination or by any of the Electrical Board Members?

MR. SOSA PADILLA: No.

ALJ MARTIN: Okay. Since there's no redirect questioning, you are excused from testifying today. You are excused. As a result you can either leave this hearing or remain as the Department's representative.

Assistant Attorney General Sosa Padilla, does the Department have any additional witnesses at this

point, or is it now resting its case to possibly provide a rebuttal case?

MR. SOSA PADILLA: I will rest.

ALJ MARTIN: All right. So with the Department now resting its case, I will turn to the appellant Kyle Hissam.

Now is your opportunity if you would like to present a case including testifying if you would like or calling any witnesses you have previously disclosed. Do you wish to present a case at this time?

MR. HISSAM: All I brought to this meeting was a thing I personally wrote up myself. It's not a legal thing. It's just a personal, I guess, little speech, if you would. I don't know if that's the time now, or do I wait until the end?

ALJ MARTIN: Mr. Hissam, are you seeking to introduce that statement that you've written, or do you wish to testify using that statement?

MR. HISSAM: I didn't know I had to submit personal feelings. It's just my own personal feelings.

ALJ MARTIN: All right. Why don't we do this. I know sometimes procedural aspects of a hearing can be a little bit cumbersome. Do you mind if I place you -- basically you previously testified, so you're still under oath.

At this point do you want to just explain to the Electrical Board your statement that you've written out? Do you want to clarify, and testify, and just walk the Electrical Board through your understanding of what happened in this matter? You're welcome to testify right now and explain your side of what happened if you would like.

MR. HISSAM: Yeah. That's fine. I can.

ALJ MARTIN: Go ahead.

DIRECT TESTIMONY

MR. HISSAM: Okay. It's just like he said. You know, I started in, I believe, it was 2014 or '15. I can't remember that far back now at this point. I think it was in that range when I started electrical training. And then we -- you know, fast forward to 2019ish, you know, when I submitted these affidavit's late. You know, at the time I didn't have a lot of money but I attempted to get an attorney to appeal it, and the State said, "You can't appeal that decision. That's the one decision you can't appeal." So, you know, that's how that played out. It was a bummer. This is what I wanted to do as a job and so I ended up calling Montana and I told them everything. I never hid any

information, none of this was ever a secret. I'm not trying to be dishonest to anybody.

I told Montana that they rejected them over a timely thing. It wasn't infractions, I didn't break the law in regards to illegal or anything. It was I didn't meet the deadline. That was -- you know, that was new. They didn't grandfather me in or anything even though I was working prior to that change. You know, Montana granted it now -- as I forget, what was the Attorney General's name?

ALJ MARTIN: Sosa Padilla.

MR. HISSAM: As he said in the one WAC he listed, I wasn't aware that it said the hours must be worked in that state. He's right. I'm not going to argue that. I got the license in Montana, but, you know, my home is in Washington so I submitted them here. And I think, you know, in my appeal there was a bunch of legal stuff in there, but it's because as a private citizen and it says fraud on there you panic. I didn't lie to anybody. I understand now reading it, you know, they weren't saying I committed fraud. It was just saying either/or, that's just the general thing they put in the thing.

I'm not arguing the facts. I was late on those affidavit's. That's how we arrived there. So I guess that's -- that would be my side of the story .

ALJ MARTIN: Okay. All right. Well, thank you very much, Mr. Hissam. Have you told the Electrical Board everything you would like to understand as part of your appeal?

MR. HISSAM: I mean, I believe so. That's not my write up but, yeah, I believe so.

ALJ MARTIN: Well, thank you very much.

Assistant Attorney General Sosa Padilla, do you have any cross-examination questions for Mr. Hissam based on his testimony just now?

MR. SOSA PADILLA: I don't have any questions.

ALJ MARTIN: All right. Opening up the floor. Do any Board Members have questions for Mr. Hissam based on his testimony? If so, you're welcome to ask them.

All right. Hearing that there are no further questions and no cross-examination, thank you very much for your testimony, Mr. Hissam.

In wrapping up, have you told the Electrical Board everything that you believe is relevant and important, and, if so, do you rest your case now subject to providing a closing statement?

MR. HISSAM: I believe so. Do I read the thing I wrote up in my closing statement?

ALJ MARTIN: Is it factual information or just argument?

MR. HISSAM: It's just feelings, how I feel.

ALJ MARTIN: You're welcome to provide a closing statement and use that to refresh your memory if you would like during your closing statement. Okay? You can use the statement in providing your closing statement as long as it's not testimony or testifying any facts. But if you have a statement to read in closing, you're welcome to do so.

MR. HISSAM: Okay.

ALJ MARTIN: With the Appellant now resting, does the Department have any rebuttal case or does the Department wish to move to closing?

MR. SOSA PADILLA: Department moves to closing.

ALJ MARTIN: Okay. So at this point in closing I'll turn it over to the Department. Department, you can either provide a closing statement or waive. It's entirely up to you. Go ahead, Assistant Attorney General Sosa Padilla.

MR. SOSA PADILLA: Thank you, Judge. When I earlier said at the beginning that I would not provide opening remarks because the case was straightforward, I should clarify that part was straightforward. It does not mean the case is going to be easy for you to solve.

We already know why we are here. The Department is intending to revoke Mr. Hissam's electrical

certificate. As we already heard, the Department cannot revoke an electrical certificate and appeal the person -- the holder of that certificate has an opportunity to be heard and have a hearing. That's what we are doing here.

Now, you got all the facts, you got the law, and you will need to decide. Lucky for us, I think we don't have -- the facts are not in dispute. I thank Mr. Hissam for being straightforward and acknowledging and accepting the facts as they are. I've seen and you've seen when they are put in a situation they change the facts, so I commend him for not doing that.

To summarize the facts, Mr. Hissam back in 2020 I believe or something like that -- several years ago he was an electrical trainee and he did a lot of hours as a trainee. He tried to submit Affidavit's of Experience to certify those hours earned. Unfortunately for Mr. Hissam, those hours were submitted late and so those hours don't count for his training. We're talking about several thousand hours.

You already heard that the Department doesn't have discretion. The law, and the rules, and regulations say that if the hours are submitted late , the Department cannot accept those affidavits. Now, Mr. Hissam decided to go to Montana and submit those

affidavit's because he was told by Montana Department of Labor and Industries that they did not care that those affidavit's were filed in Washington State. They accepted all that training. When they accepted all the training, then Montana issues a letter saying that he was able to take exam, the electrical exam, based on 15,855 commercial hours and 50 residential hours.

Montana allowed Mr. Hissam to take the exam in Montana. Mr. Hissam got this letter and attached it to his out-of-state application for electrical examination. That is Exhibit 1. There's nothing wrong with what Mr. Hissam did. So far everything is okay.

Mr. Kent is the person who back in 2022 reviewing this application. I think he started working for the Department back in 2022. He saw these letters so he said, "Okay, if he can take the exam in Montana, he can take it here." The Department approved Mr. Hissam to take the exam. Mr. Hissam takes the exam in Washington State -- two exams -- and he passed it. That was back in 2022. Actually, the exam is from 2023. So back in 2023 he passes the exams and he receives his electrical certificate . Now, to move forward a couple of years where the Department received -- in 2026 the Department received a complaint. It was somebody saying, "Well, Department you need to look into

Mr. Hissam's hours, because there's a problem." So the Department, Mr. Kent, goes back to the file and starts reviewing the -- the file and started an investigation.

Part of the investigation included contacting Mr. Hissam. After the investigation Mr. Kent or the Department determined that those hours of experience submitted in Montana were, in fact, Washington State hours of experience. This is important to highlight. This is not only based on the Department's investigation. Mr. Hissam also testified and said that, yes, those hour of experience that he submitted to Montana were Washington State hours of experience from Washington state and they were not -- they were rejected. So now we have the facts.

And after that -- after the investigation -- the Department issued what is here the notice of intent to revoke. So now what the law says -- and hopefully you were able to see that under 296-46B-945 subsection 10 that is qualified for the journey level specialty electrical competency when was work was performed in the state required -- requiring electrician certification for the work performed. So you can pick this apart. We're talking about taking the exam when the work was performed in a different state, and in that state there is a requirement for electrician certification.

We know that in Montana -- we already heard testimony that Montana requires an electrician certification. We also know that the work that the trainee or training hours were performed also in a state other than Washington, so we know that subsection 10A applies. We can see that subsection 10A says that it will not be allowed for work not done within the certifying state. Basically it's just explaining clearly that all that credit that was received or -- or earned in Washington State cannot be used because the application would say those hours are accepted by Montana but Montana based on Washington State laws can only accept hours from Montana in order for Hissam to apply to take the exam here. You can notice it says, "Credit will not be allowed." It's not discretion for the Department to accept this Montana application or certification with hours from a different state. It says will not be allowed.

Also, applicable here is RCW 19.28.241. The other one is the RCW that talks about revocation and it says -- subsection 1A says, "Department may revoke any certificate or competency upon the following grounds; the certificate was obtained through error or fraud." In here the Department is not saying that Mr. Hissam was fraudulent. The Department is saying that the

Department made an error.

Now, let's talk about well the Department made an error, why does Mr. Hissam need to pay 6 years later? It is important because in here we're talking about safety. We know that the purpose of the electrical code is to keep people safe. We know that electricity is very dangerous, it can kill people, we know about the risks of fire, so all of those are reasons why. It doesn't matter who submits the mistake, who makes the error whether it's the Department or whether it is the applicant. Otherwise, I could without any training apply for -- for an electrician certificate, by mistake the Department gives it to me, and then I get it. If the Department cannot go back and say, "I made a mistake, Mr. Sosa Padilla cannot be an electrician," then anyone can be an electrician without zero training.

I'm not saying that this is the case for Mr. Hissam, but unfortunately for Mr. Hissam it is clear in WAC 296-46B-945 says that the hours -- when an application is out-of-state those hours of experience they must be earned in that out-of-state, not anywhere else.

I just want to clarify in this case it's not an easy case. We're talking about taking away a license after several years. Again, as I've said, unfortunately

for Mr. Hissam the rules and regulations are clear. He didn't try to commit fraud. He -- based on what he was saying, he wasn't aware of WAC 196-46B-945 subsection 10 and 4C and D. He wasn't aware those hours needed to be from Montana. It was an honest mistake, but unfortunately for Mr. Hissam the rules are the rules and the Department cannot accept those hours.

The Department asks the Board to affirm the Department's decision to revoke Mr. Hissam's electrical license. Thank you.

ALJ MARTIN: Thank you very much, Assistant Attorney General Sosa Padilla, for providing closing statement on behalf of the Department of Labor and Industries.

At this point do any of the Electrical Board Members have any questions based on his legal argument which was his closing statement? If so, you're welcome to ask Counsel now questions for the Department.

Electrical Board Member Johnson.

MR. JOHNSON: I was wondering do you see anything in -- that would preclude Mr. Hissam from pursuing the reciprocal agreement between Washington and other states which would be in WAC 296-46B -- that was -- sorry I had the -- the section was 940 and that would be 18. So would there be anything in there to preclude him from

following that going forward?

MR. SOSA PADILLA: Give me one second. This is more of a question to the Department. One thing I can tell you is that as long -- he can reapply or do whatever he wants as long as he follows the rules and regulations. In this case I'm looking at subsection 18 and it talks about reciprocal agreements between Washington and other states. If the Department Washington State had a reciprocal agreement with Montana or any other state and Mr. Hissam was to apply, if he complies with all these rules and regulations I would say yes. But, again, I just want to clarify, I'm just making oral arguments on behalf of the Department and I'm not providing any legal advice or opinions. This is my only opinion. I just want you to understand.

MR. JOHNSON: I wanted to verify that a decision today, would that cause any preclusion from following that path? Would that still be available to him?

MR. SOSA PADILLA: What is right now at issue is Exhibit Number 6 which is the notice of revocation. That is the only thing on issue here. Whether this -- this Board should affirm the revocation of electrical certificate HISSAKJ772JD. That is the only thing that is the problem of the Board. Whether Mr. Hissam can reapply or do other things with those, that is not at

issue here. I'm sorry. I can't give you a more specific answer. I just want to clarify what it is at issue here.

ALJ MARTIN: Board Member Johnson, any other questions?

MR. JOHNSON: No, thank you.

ALJ MARTIN: Any other questions for Assistant Attorney General Sosa Padilla based on his legal closing argument? If so, you're welcome to ask.

All right. Hearing no other questions.

At this time, Mr. Hissam, if you wish to provide a closing statement including reading a prepared statement, you're welcome to do so. Please don't introduce any new evidence, or testimony, or facts that have be been previously identified to. As you stated previously, this is your feelings.

MR. HISSAM: All right. If anything that I read I shouldn't be saying, just stop me obviously.

ALJ MARTIN: The Department might, but you're welcome to go ahead.

MR. HISSAM: Thanks everybody for showing up. It's my birthday, no pressure. There's a simple principle I live my life by. It's doing the right thing is always more important than doing the thing right. It's a tongue twister so I'll say it again; doing the

right thing is always more important than doing the thing right.

I personally think that applies perfectly to why we're here. Were my hours turned in late? Absolutely. That's not even up for debate. I'm not disputing that. Was rejecting those hours technically correct under the Department's requirements? Of course. I'm not disputing that either. My personal feeling is what is the right thing to do and I don't believe so.

Those hours weren't imaginary, they weren't fraudulent, I didn't make them up. I earned every single one of them legally working under a licensed journeymen for a licensed electrical contractor. And I think something gets lost when we reduce this profession to paperwork and deadlines. I love being an electrician generally.

There's a bunch of dust in my room, hold up.

ALJ MARTIN: Take your time.

MR. HISSAM: I love doing this. I would do it for free. It's not a paycheck to me and it never has been. I just wanted to share what I love the most about it is the teaching part, though I do enjoy doing electrical work. I care about the apprentices, I care about whether they understand what they're doing, whether they become good electricians, whether they take

pride in their work, and whether they get home safe at the end of day. I just find something incredibly rewarding when they discover something and learn something not just memorize it. One thing I take pride in is every apprentice I've trained still calls me every week. It's because those relationships never stopped when we stopped working together. They moved on, but they knew I cared about them, their families, their careers, and their futures.

So is this wasn't brought up, but it was -- I believe it was Mr. Kent's boss which he told me that I didn't legally obtain my experience so that's why this part is in there. You can scratch it if you need to. That bothered me more than all of this entire hearing put together because I did legally obtain the experience. If you want to state I didn't turn it in timely, that's a different story but that really bothered me because I put a lot of effort into working and gaining this knowledge I have. I do want to point that out because it upset me a lot actually.

I don't expect the State to disregard this rule simply because I don't agree with them. That's something I want to make clear. I took the path I did because I wasn't willing to let a reporting deadline erase raise years of legitimate work. I was

completely honest with Montana, and I was completely honest with Washington. I even passed the examination. I wasn't trying to find some sneaky route. I wasn't trying to get something I didn't earn.

I'm here fighting to seek recognition for something I already had. That's an important distinction to me.

That's my own personal statement I wrote up. Sorry for the in the middle there. That's all I have to say.

Again, thanks everybody for showing up.

ALJ MARTIN: Thank you very much, Mr. Hissam.

Do any of the Electrical Board Members have any questions for Mr. Hissam based on his closing statement? If so, you're welcome to ask at this point.

All right. Seeing there are no questions from the Board, Assistant Attorney General Sosa Padilla, any -- any rebuttal closing statement before the record is closed?

MR. SOSA PADILLA: Briefly.

As I told you, this is a hard case and probably not your first hard case. This happens to you, jury trials, judges, but unfortunately for the Department and for Mr. Hissam the Department doesn't have discretion to accept those hours. The Department doesn't have

discretion to say, "Well, we made a mistake, but Mr. Hissam actually had those hours, they were late."

This case is hard for you because the law is clear. You know what you need to do when you're following the law. Present time you feel that this might not be the right decision for the Board, but unfortunately for you -- and I'm telling you, sometimes I tell this to the judges and sometimes I tell this to jurors -- if you want to change, it's not here to today by disregarding laws. It's by after making the right decision in here going to the legislature because it's the legislature the ones who makes those changes. It's not for the Board to change the law because the law is the law. It's for the legislature to make those changes.

Thank you.

ALJ MARTIN: All right. Thank you very much to all of the parties, both the Appellant, Mr. Hissam, and the Department represented by Assistant Attorney General Sosa Padilla.

At this point I'm now going to close the record and that means that no new evidence or testimony beyond what has been provided today will be allowed to be considered by the Electrical Board.

Now, as the Administrative Law Judge presiding

over this matter I now turn this over to the triers of fact of this Electrical Board to begin those deliberations. I will now turn it over to the Electrical Board Chairperson Jenkins to now proceed with this matter to begin their deliberations and issue a written decision accordingly.

Before we adjourn, Mr. Hissam, any questions of me regarding the process?

MR. HISSAM: No, sir.

ALJ MARTIN: Assistant Attorney General Sosa Padilla, any questions of me?

MR. SOSA PADILLA: No.

ALJ MARTIN: With that, this matter is now concluded. I turn it over to the Electrical Board to begin their deliberations and decide this matter accordingly. With that, it is now 12:28 and this hearing is now concluded and we are adjourned.

Thank you very much and, Chairperson Jenkins, I now turn it back over to you.

CHAIRPERSON JENKINS: Thank you. I'd like to discuss evidence that has been presented to make our decision.

UNIDENTIFIED SPEAKER: Pursuant to the Board's discretion on what they're able to do, we have no discretion other than following exactly what the RCW

says. Bearing that in mind, Mr. Hissam did complete a number of hours in Washington State. He failed to file them in a timely fashion. As a result he went to the State of Montana, sat for an exam. We can't transfer it to Washington. We have no discretion other than the rule that the State has to revoke his license. I look to make that clearer for the record or is that okay?

CHAIRPERSON JENKINS: I guess, I don't know exactly what you're asking me to do. I think that that was a correct --

UNIDENTIFIED SPEAKER: That's what I'm asking.

CHAIRPERSON JENKINS: I do believe that's correct. That's my understanding of the law, yes. It has no authority. You're charged with enforcing the law as written.

UNIDENTIFIED SPEAKER: Then I put that forward as a motion to the Board.

CHAIRPERSON JENKINS: Your motion is?

UNIDENTIFIED SPEAKER: My motion is that for the reasons stated the Board shall uphold the revocation of Kyle Hissam's license due to the hours not being submitted in a timely fashion to the State of Washington, and as a result of his failure to timely submit those hours to sit for Washington State exam he chose to go to the State of Montana, sat for their exam,

they certified those hours. He then tried to sit for the Washington exam showing those hours for Montana and under our WAC 296-46B we will not allow that to happen.

Furthermore, the Board has no discretion that we must uphold the suspension and revocation of his license.

CHAIRPERSON JENKINS: We have a motion, do we have a second?

MR. MCCANCE: I would second, Board Member McCance.

CHAIRPERSON JENKINS: Any discussion?

MR. JOHNSON: I agree with we don't have discretion. That seems pretty clearcut. What I'm wondering though considering that it was noted on the record from all parties that there was no intentional wrongdoing and it seems like a technicality, I'm wondering is there any path to make a decision and stay it and then have the Department work with the Department of Montana to let him -- give him time to get a license in Montana and then get his license in Washington by the subsection 18 reciprocal agreement. I'm asking because we have a shortage of electricians in our state.

MR. HISSAM: I have a license in Montana.

MR. JOHNSON: Is there any way for the Department to work with Montana for a path through the reciprocal

agreement?

CHAIRPERSON JENKINS: I don't know if we have the option. We have a decision to make based on the information we were given. I don't think we have that discretion.

UNIDENTIFIED SPEAKER: Yeah. I don't think the Board has authority to implement its own stay and direct the Department to engage in any sort of conversations with another state about his license. The -- you are asked to either affirm the Department's decision in their intent to revoke, or overturn that and so those are your choices. Certainly, the Board could make a recommendation to engage in these conversations with the Appellant after the fact, but the Board does not have the ability to make those specifics.

CHAIRPERSON JENKINS: Board Member Jack Knottingham?

MR. KNOTTINGHAM: I looked at the exhibits and put a timeline together and it's not -- it's not the whole timeline. Generally, the hours were submitted to Washington, they were submitted late. They were then submitted to Montana who accepted them. And this was according to the Exhibit 3, Page 2. He was approved to sit for the Montana exam on 12/31/22 and he did not pass the exam. He then moved down to a residential license,

which was allowed. He never sat for the exam. He was approved on 12/13/22 and then he took the hours approved by Montana and applied them as out-of-state experience for Washington on 10/18/23. He did pass the exam here, as he stated, first try on 10/28/23. He did not get a Montana license according to the Exhibit 3, Page 2 until 2/2/26. I just want to point out -- and I was wondering was this all innocent -- I do want to point out that the revocation notice was not sent out until April 20th, 2026, so I do believe that it was inadvertent. But he did not pass the Montana license. He got that through the fact that he passed the Washington license. Hours were worked in Washington, approved in Montana, and that was used to qualify for the Washington which he did pass and then Montana reciprocated the license.

CHAIRPERSON JENKINS: Thank you very much.

Board Member Barnes?

MR. BARNES: Does the Board have the ability to stay the revocation until the April Board meeting?

CHAIRPERSON JENKINS: Our next meeting is in January.

MR. BARNES: Understood.

CHAIRPERSON JENKINS: We have a motion on the floor. We have the option to table this discussion until April of 2027, if we decided that's what he wanted

to do. Any more discussion or comments for the Board? We could stay it until April -- tabling -- sorry.

MR. JOHNSON: I will move to table which supersedes the existing one until the April Board meeting.

CHAIRPERSON JENKINS: We have the motion to table the decision until the April meeting. Do we have a second?

UNIDENTIFIED SPEAKER: I will second that one.

CHAIR: Any discussion on the tabling of the decision?

MR. ISAACSON: Board Member Isaacson. What does that mean for Mr. Hissam and his license? Will he be able to continue working?

CHAIRPERSON JENKINS: Yes.

UNIDENTIFIED SPEAKER: Right now he's appealing the intent to revoke. It hasn't actually been revoked.

CHAIRPERSON JENKINS: Board Member Jack Knottingham?

MR. KNOTTINGHAM: I don't know if it's directly related to the motion, but the reason there's a deadline is to allow L&I to go back and investigate, look at payroll records, find out if there were proper supervision. So it's not just an arbitrary number. It allows the Department to go back, make sure the employer

had the right number of the journeymen to apprentices to provide the supervision that was required. As you extend that timeline out, it's more and more difficult to verify that. That's my comment.

CHAIRPERSON JENKINS: Chair here. Any more discussion for the Board Members? The motion sitting on the Board right now is to table this discussion until the April meeting.

All in favor say, aye."

(Unanimous aye.)

CHAIRPERSON JENKINS: Any opposed? Hearing none. Motion passed.

All right. So at this point we will be tabling this until the April meeting of next year, so I would expect that all parties should be present.

UNIDENTIFIED SPEAKER: Mr. Hissam, if you could just plan to return and attend that meeting as well so you can hear the conclusion as to the discussion.

MR. HISSAM: Will I receive anything in the mail in that regard or no?

UNIDENTIFIED SPEAKER: Because this was an oral motion of the Board, there won't be any order or

anything. I'd ask that you just, you know, make a note.

MR. HISSAM: Okay. April of next year?

UNIDENTIFIED SPEAKER: Last Thursday of the month.

MR. HISSAM: Okay. And so this meeting I was given a Zoom link and password. Is that something I can Google to join for that one?

UNIDENTIFIED SPEAKER: If you go on the website or reach out they would be happy to forward you that again.

MR. HISSAM: All right. Thank you.

UNIDENTIFIED SPEAKER: Or you can talk to the AAG who said you're also welcome to contact him for any information or updates.

MR. HISSAM: All right. Thank you.

CHAIRPERSON JENKINS: Thank you very much. We're getting really close to the new hour. How does the Board feel about taking a lunch now? I'll defer first to the Judge.

ALJ MARTIN: I'll defer to the Board Members.

UNIDENTIFIED SPEAKER: We can take a lunch.

CHAIRPERSON JENKINS: Do we have a motion to re-adjourn at 12:30?

MR. NORD: Board Member Nord, motion.

CHAIRPERSON JENKINS: Do we have second?

MR. KNOTTINGHAM: Second.

CHAIRPERSON JENKINS: Any discussion? All in favor say, "Aye."

(Unanimous "aye.")

CHAIRPERSON JENKINS: We'll see you all at 12:30. Thank you very much.

(Brief recess.)

ITEM NUMBER 4

CHAIRPERSON JENKINS: We're going to move to item number 4, which is review of outstanding personal orders of ReqTech Incorporated (phonetic). It looks like that they received confirmation of the form of the order and so at that point there I will be signing the order that is due to us by the Department. We can conclude the ReqTech Incorporated, DLYO803691, DLYO803692, DYLYO803694 (phonetic). Thank you very much.

HEARING OF BRITTON GOODWIN

CHAIRPERSON JENKINS: Moving on to our next --

our next item which is for Britton Goodwin. This is in regard to Britton Goodwin and the denial of his application to retest. This hearing is being held pursuant and due to proper notice to all parties in Tumwater, Washington on October 26th, 2026 at approximately 12:36.

This matter is set for an original hearing before the Board. Do we have a representative for Britton Goodwin present?

MR. GOODWIN: Yes, Britton Goodwin.

CHAIRPERSON JENKINS: Thank you very much. And do we have someone present for the Department?

MR. SOSA PADILLA: Yes, Assistant Attorney General Sosa Padilla.

CHAIRPERSON JENKINS: And at this time I would like to ask Judge Martin to please take over.

ALJ MARTIN: Thank you very much, Chairperson Jenkins. In regards to the matter of Britton Goodwin, Madam Court Reporter, are you on the record?

THE COURT REPORTER: Yes, I am.

ALJ MARTIN: And can the Board members -- can you see us all in this room including the appellant who is to my left and to your right? If there's anyone who cannot see him, please let us know.

All right. Hearing no concerns or objections.

We will go ahead and proceed on the appeal by Britton Goodwin in this matter.

Today is Thursday, October 29th, 2026 and the time is now 12:42 p.m. Pacific time. My name is Judge TJ Martin. I'm an Administrative Law Judge with the Washington State Office of Administrative Hearings convening this in-person factfinding evidentiary hearing from the Labor and Industries office here in Tumwater, Washington.

Now, present is the Appellant, Britton Goodwin, and then present also representing the Department is Assistant Attorney General Sosa Padilla. Now, the issue before this Board as an appeal of the Department denying his application to retest. That is the sole issue before this Board of which I am presiding and the Board is essentially the trier of facts in this matter.

Before we jump in, Mr. Goodwin, I do note you were here previously, so I'll do my little spiel. Essentially what will happen during today's hearing when I get done describing the process we'll have a discussion regarding the admission of exhibits. Mr. Goodwin, if you have any exhibits and, Department, if you have any exhibits, we'll take up a discussion regarding the admission of those exhibits and whether or not those are admitted into the record. If they are,

then that means the parties are welcome to reference or refer to them during the course of today's hearing as well as the Electrical Board will have an opportunity to review them.

After that, I will take up any preliminary matters or motions by either the Appellant or the Department. After that we'll move on to opening statements. Now, in this case since this is a denial for an application to retest, the burden would be on you, Mr. Goodwin, to that establish by a preponderance of the evidence that you qualified to retest. However, understanding you have the burden in this case, I typically like to hear from the Department first for a background for how they came up with their determination to deny you an application for retest. And so with opening statements, I will allow the Department to provide one first or waive its opening statements. After that, Mr. Goodwin, you provide an opening statement, reserve it to the presentation of your case, or waive your opening statement.

After opening statements, I'll turn it over to the Department to present its initial case and essentially walk the Board through how it came up with its process to deny you an application to retest.

Assistant Attorney General Sosa Padilla, you're

welcome to call any witnesses you had previously disclosed. I'll essentially swear in that witness or those witnesses. You can ask direct examinations questions, Mr. Goodwin, you would then have the opportunity to ask questions of that witness, as well as I'll allow the Board Members to ask questions as well.

Once the Department has presented its case then, Mr. Goodwin, you have the opportunity to present your case. If you wish to testify, you're welcome to do so or if you wish to call any witnesses you're welcome to do that as well. You'll ask questions or provide testimony, the Board will also have an opportunity to ask questions.

After that I will then refer to the Department for their rebuttal case before moving onto closing statements. Closing statements is each parties opportunity to provide a statement as to why this case should be decided in their respective favors. Because the burden is on the Appellant in this case to show he should qualify for application for retesting, Mr. Goodwin, you will have both the first word then the Department will have the last word before the record is closed and turned over to the Electrical Board to decide.

I went through that quickly but is there any

questions regarding that process?

MR. GOODWIN: No, sir.

ALJ MARTIN: Any questions behalf of the Department.

MR. SOSA PADILLA: No.

ALJ MARTIN: Let's move on to the admission of exhibits.

Let me first ask the Department. Does the Department have any exhibits it wishes to introduce and have those been provided to the Appellant?

MR. SOSA PADILLA: The Department has four and Mr. Goodwin did receive copies. I have three hard copies that I will be distributing now.

ALJ MARTIN: I will let you pass those around.

Mr. Goodwin, did you receive the Department's exhibits in advance of today's hearing?

MR. GOODWIN: This morning, yes.

ALJ MARTIN: Did you have an opportunity to review them?

MR. GOODWIN: I was able to, yes.

ALJ MARTIN: Do you need additional time?

MR. GOODWIN: I don't believe so.

ALJ MARTIN: Do you have any objections as to why the Electrical Board shouldn't be allowed to review them, anything on an evidentiary ground?

MR. GOODWIN: No.

ALJ MARTIN: All right. Department's Exhibit's one through four are admitted into the record.

Like I said, the parties are welcome to reference or refer to them during the course of today's hearing. The only thing I ask is if you're referencing them, please let the Board know what page or what exhibit you're looking at.

Mr. Goodwin, did you have any exhibits you wish to introduce?

MR. GOODWIN: No.

ALJ MARTIN: The Appellant does not have any exhibits to submit.

MR. GOODWIN: Am I allowed to present them as it goes on?

ALJ MARTIN: This is your opportunity now.

MR. GOODWIN: I was just served last Saturday the actual formal judgment for these citations. That has not been resolved and I'll be fighting that too.

ALJ MARTIN: Do you want that to be part of the record that they consider?

MR. GOODWIN: No. I think it's probably exempt to testify to.

ALJ MARTIN: Okay. Department your response to that?

MR. SOSA PADILLA: I would like to see -- I would the like see it was because maybe I wouldn't mind if it gets submitted during the hearing.

ALJ MARTIN: Okay.

MR. GOODWIN: It was received Saturday, 10/24 I believe. Last Saturday.

ALJ MARTIN: I'll give the Department time to review it.

MR. GOODWIN: Yeah, I would rather get it out there.

ALJ MARTIN: Does the Department have any position?

MR. SOSA PADILLA: No objection if he wants to admit it.

ALJ MARTIN: Can I ask, is there anyway I can make a copy or copies? Is that okay? All right. So Appellant's Exhibit A has been admitted. It looks like an Electrical Board staff was nice enough to make copies. You'll get back your original and copies will be provided to the Electrical Board for their review.

Now, before we jump into opening statements, any preliminary matters?

MR. SOSA PADILLA: No.

ALJ MARTIN: Any matters or motion, Mr. Goodwin?

MR. GOODWIN: No, sir.

ALJ MARTIN: Okay. The burden is on Mr. Goodwin to show that he qualified to his application to retest. He has the burden in his case, however I like to hear the initial case from the Department to walk the Board through on why it decided to deny the application. Plus, in addition from my experience, it allows appellants to focus their arguments, rather than saying good luck tell us everything.

With that, I'll turn it over to the Department to provide an initial case or opening statement.

Now, Assistant Attorney General Sosa Padilla, you can either provide an opening statement or waive. It's entirely up to you.

MR. SOSA PADILLA: I will provide one.

This case is about whether the Department was correct in not processing documents submitted by Mr. Goodwin to take his -- to renew his certificate. The facts will show that the position was correct because Mr. Goodwin has at least two certificates and he owes several thousand dollars. And under the applicable rules and regulations, the Department cannot renew a license if the person owes money to the Department.

For those reasons, the Department will ask the board to affirm the Department's position that Mr. Goodwin cannot renew his electrical certificate.

Thank you.

ALJ MARTIN: Thank you very much.

Mr. Goodwin, do you wish to provide a brief opening statement, reserve until you present your case, or waive?

MR. GOODWIN: Yeah. My entire case is built on the sense of, yes, I do have outstanding citations towards my license and that would be my electrical administrators license and the denial was to renew my electrical journeymen license to remain active and employable within in my trade. It's a separate license. It has no infractions on it and it's not even pertaining to the admin license. I'm not trying to get out of paying any of that, but I still need to be able to work in the trade that I dedicated the last 20 years of my life to.

I'm not denying that my admin license is revokable or withheld, but the reasons I've been given is that both licenses are under my Social Security number. The reason I carry both licenses to begin was for the direct insulation and protection from this actually happening, otherwise I would have had a master's license and combined them.

I have a family, I have three kids, a wife, and a home, and I need to maintain my 01 journeymen's

license to provide for my family, which doesn't have an a single infraction on it. It's clean.

I'm a very good electrician. I was not the best as an administrator or business owner. I'm not the first or the last one that says the same thing, but I still need to be able to work and make a living to provide for my family.

ALJ MARTIN: Thank you, Mr. Goodwin. I will turn it over to the Department to present its initial case.

Assistant Attorney General Sosa Padilla, does the Department wish to present a case and, if so, who do you wish to call?

MR. SOSA PADILLA: Yes. The Department calls Mr. Goodwin.

ALJ MARTIN: Okay. Mr. Goodwin, you've been called as a witness in the matter pertaining to your appeal. As you may have heard earlier, do you mind if I place you under oath so anything you say before the Electrical Board can be considered as part of the record.

MR. GOODWIN: Sure.

ALJ MARTIN: Do you swear or affirm that the testimony you're about to give in today's hearing is the truth, the whole truth, and nothing but the truth?

THE WITNESS: Yes.

ALJ MARTIN: You can put your hand down now. At this point you'll be asked questions by Assistant Attorney General Sosa Padilla. If at any point you are asked a question you didn't understand or were confused by, please ask them to repeat or rephrase it. Okay? If there's an objection made, please immediately stop testifying so I can hear argument on that objection and then rule on it before you resume testifying. Okay?

THE WITNESS: Okay.

ALJ MARTIN: Please make sure even though you can see me you answer "yes" or "no" just so the court reporter can pick up your response.

THE WITNESS: Okay.

ALJ MARTIN: Any questions?

THE WITNESS: No, sir.

ALJ MARTIN: Assistant Attorney General Sosa Padilla, you can proceed with the Department's direct examination questioning of Britton Goodwin.

MR. SOSA PADILLA: Thank you.

DIRECT EXAMINATION

BY MR. SOSA PADILLA:

Q Mr. Goodwin, are you the person who is appealing this Department action that is not allowing Britton Goodwin

to renew the electrician certificate?
A Correct.
Q Okay. So you were talking about a certain money that you owe to the Department. You are talking about --
A I was talking about my license -- the license that I owe citations to and money towards is my Electric Administrator O1 License, GOODWBM836QH. And what I am trying to renew and retest to renew my license is GOODWBM85QB which is my electrical journeymen license.
Q And before we go there, I just want to talk a little bit about the penalties that you are owing. Do you remember when Department issued these citations?
A I believe -- I likely reviewed some of them. A lot of the citations I believe were issued in 2024 and I was in business all the way up in the 1st -- well, essentially I closed it down completely April 1st of '26. That was the start of it and, kind of, the start of the dissolution of my partnership.

Ultimately, the local representatives of your Department in my district are aware of those situations that, kind of, led to that. I had a payment plan set --
Q Sorry to interrupt. I mean, we don't need to go into that.
A Sorry.
Q It's totally fine. Regarding these citations, you

have paid some but at least some is outstanding; correct?

A Yes. They are in a third party collections.

Q Okay. And when you were talking about payment plans, I just want to be sure. You received a summons from this third party company recently; correct?

A Correct. Because up until the beginning of this month on 10/9 I had to file Chapter 7 Bankruptcy and I essentially have stopped payments on that account because I need to see what's actually dischargeable and what is not.

Q Okay. So for now those penalties that are with this third party company collection agency, you have not paid those penalties; correct?

A No. I've been making payments on them. That's essentially all I've done. I've not been making payments for the last six-months, but prior to that I was making payments from 2024, beginning of '25 until then.

Q Okay. And do you remember if the Department -- after issuing the citations, do you remember if the Department reached out to you regarding paying those citations?

A I believe I received a letter that you're going to refer to in your exhibits.

MR. SOSA PADILLA: I have no more questions.

ALJ MARTIN: Okay. Based on that, do you have any testimony that you wish to clarify based on the questions asked by the Department?

MR. GOODWIN: I guess no.

ALJ MARTIN: All right. Do any of the Board Members have any questions based on his testimony?

MR. NORD: Board Member Nord. I have several questions for you.

MR. NORD: You hold two licenses?

MR. GOODWIN: Correct.

MR. NORD: And both are expired?

MR. GOODWIN: Both have now expired, yes.

MR. NORD: When did your O1 electrical license expire?

MR. GOODWIN: It was April of '25 because -- yes, April of '25.

MR. NORD: Okay. And why did you not renew it at the time?

MR. GOODWIN: I did. I submitted my CEU's and I went to do it online. Essentially, it was not allowing me to and that's when it, kind of, came back and forth initial e-mails with the citations Department.

MR. NORD: Were you ever late in renewing that license in the past?

MR. GOODWIN: I have just within the period with a late fee.

MR. NORD: When did you your administrators license expire?

MR. GOODWIN: April 1st of '26.

MR. NORD: And why wasn't it renewed? Same reason?

MR. GOODWIN: Same reason.

MR. NORD: Okay. So you're stating that the Department for failure to pay off fines would not allow you to renew either your O1 license or your administrators license?

MR. GOODWIN: Yes.

MR. NORD: And you understand that what they did is within what the statute says that they have to do correct.

MR. GOODWIN: For every license that I carry?

MR. NORD: Your 01 and administrators license.

MR. GOODWIN: So, I mean, that pertains to both licenses even though --

MR. NORD: I'm asking you.

MR. GOODWIN: What I understood and the reason that I even set it up that way is so that I would be insulated for protection being able to work within the trade if it does not work.

MR. NORD: So was your understanding that when you did not renew your admin license, that was because the State would not allow you to?

MR. GOODWIN: Correct.

MR. NORD: Okay. You're stating the same reason for you journeymen license?

MR. GOODWIN: So I'm actually finally appealing -- I knew I was going to have to retest to renew my journeymen's license. I'm not technically trying to renew my administrators license because I know I still owe citations and money towards that.

MR. NORD: So you're only trying to renew your journeymen's license?

MR. GOODWIN: Yes.

MR. NORD: Okay. And that's been expired for well over a year?

MR. GOODWIN: Yes.

MR. NORD: Because you failed some financial obligations?

MR. GOODWIN: Yes.

MR. NORD: No other questions.

ALJ MARTIN: Do any other members have any questions? Seeing as there are no questions, is there redirect?

MR. SOSA PADILLA: No.

ALJ MARTIN: Thank you very much for your testimony today, Mr. Goodwin. Of course you're welcome to remain in this hearing. I would advise you do.

Does the Department wish to call another witness and, if so, who?

MR. SOSA PADILLA: The Department calls Larry Vance.

ALJ MARTIN: Okay. Before you begin testifying, do you mind if I place you under oath?

THE WITNESS: No.

ALJ MARTIN: Do you swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth?

THE WITNESS: I do.

ALJ MARTIN: All right. You can put your hand down now.

As I previously explained, you'll be asked questions now by Assistant Attorney General Sosa Padilla, followed by cross-examination questions possibly by Mr. Goodwin, as well as the questions by the board members. If at any point you're asked a question you didn't understand, hear, or were confused by, please immediately stop testifying and ask them to rephrase or restate it. Okay? And if at any point there is an objection made, please immediately stop testifying so I

can hear argument and rule on it. Okay?

THE WITNESS: Yes.

ALJ MARTIN: And even though I can see you, you'll need to answer "yes" or "no" out loud so the reporter can pick up your answer.

THE WITNESS: Understood.

ALJ MARTIN: Any questions?

THE WITNESS: No.

ALJ MARTIN: Assistant Attorney General Sosa Padilla, you may proceed with your direct examination questioning of the Department's second witness, Larry Vance.

MR. SOSA PADILLA: Thank you.

BY MR. SOSA PADILLA:

Q Can you tell me who you work for?

A I work for the Washington state Department of Labor and Industries.

Q What is your position or title?

A I'm an Electrical Technical Specialist, otherwise known as an Electrical Inspector 5.

Q For how long have you been an Electrical Inspector 5?

A Since 2007.

Q And when did you start working for the Department?

A 2004.

Q And what were you doing between 2004 and 2007 with the

Department?
A I was an electrical inspector inspecting electrical installations and performing work-related compliances with the electrical laws and rules.
Q And so I'm assuming you're an electrician. When did you become an electrician?
A In the early 1990's I became an electrician in the State of Washington.
Q Thank you. And what do you do as an Electrical Technician 5 for the Department?
A We spend a lot of time interpreting electrical laws, rules, codes, answering complex licensing questions. That's the majority of the work that we do.
Q Thank you. And how did you become aware of Mr. Goodwin?
A It was probably a month and a half ago I was asked if I -- if I would feel comfortable testifying on the Department's behalf. That's when I actually learned of this matter.
Q Okay. And as part of -- strike that.
Did you have an opportunity to review the records for Mr. Goodwin's licenses with the Department of Labor and Industries?
A I did.
Q How are those stored at the Department?

A They're stored in a software system called Quick Hearts (phonetic) and they're linked. There we can see a complete record of all renewals, all transactions, everything.

Q And did you have an opportunity to review all the records pertaining to those two licenses?

A Yes.

Q I want you to take a look at Exhibit Number 1, Page 1.

MR. SOSA PADILLA: For the people on Zoom I'm sharing my screen. That should be Page 1.

BY MR. SOSA PADILLA:

Q Mr. Vance, can you tell me what is Page 1 of Exhibit 1?

A This is an application for the electrical examination. It's something that someone would submit if they were going to take their initial examination or for some reason it expired and they needed to retest.

Q And in this specific case, is this Mr. Goodwin's for the Department?

A Yes, it is. He submitted it on April 8th of 2026.

Q And can you please go now to Page 2?

A Yes. This is a letter that -- that we sent Mr. Goodwin after we reviewed the application. It is informing him that he has outstanding penalties and we're not able to approve his examination application because of

outstanding penalties.

Q So is this Exhibit -- Page 2 of Exhibit Number 1 what is on appeal currently?

A Yes. This would be our decision not to allow Mr. Goodwin to retest.

Q Okay. Now, can we please go to Exhibit Number 2? Can you tell us what this seven pages is?

A Exhibit Number 2 appears to be correspondence with the Department and Mr. Goodwin regarding a payment plan that was offered for the opportunity for a payment plan, and also, again, communicating the result of not being in a payment plan where you could be sent to external collections. It lists out the citation and it provides him with a remedy to move forward.

Q Okay. Let's go to Exhibit Number 4 because I think that's going to make more sense. That's the long -- the long one.

UNIDENTIFIED SPEAKER: We have Exhibit 3.

MR. SOSA PADILLA: That should be four. It has a wrong -- let me see.

ALJ MARTIN: Exhibit 3 is a one page -- it appears to be a spreadsheet. Exhibit 4 is a packet of noncompliance citation number 75 pages.

MR. SOSA PADILLA: Yes. I'm sorry for the confusion because that's the only one that doesn't have

a cover page. That's why.
BY MR. SOSA PADILLA:
Q Okay. Can you tell me what is on the 1st page of Exhibit 4?
A This is an example of a citation that was issued to Mr. Goodwin. It's for a violation of RCW 19.28.061(5)(e) RCW, failure of administrator or master electrician (inaudible) issued by.
Q So I'm assuming you're talking about failure -- I'm assuming this citation was issued against Mr. Goodwin's administrator license?
A That is correct.
Q Okay. And do you know based on the review of the records if this is one of the outstanding penalties?
A Yes. This citation number is one of the outstanding penalties.
Q And did you have an opportunity to review all 74 -- 75 pages of Exhibit 4?
A Yes. Those citation numbers correspond to the penalties that are outstanding.
Q So all of the documents here in Exhibit 4 show which ones -- they show the citations that are still outstanding?
A Correct.
Q Okay. And I just want to confirm, if you can go to

Page 2 of Exhibit 4?
A Yes. Page 2 is what is commonly referred to as a first -- let me make sure -- yes. This is what's referred to as a first demand letter. It's informing Mr. Goodwin that the Department has issued a citation. It notifies him of his appeal rights, it notifies him of the appeal deadline. It also on the -- it would be Page 3 of Exhibit 4 that it's a continuation of that first demand letter and also informs Mr. Goodwin of the possibility of -- of other factors if Mr. Goodwin chooses not to make the payment or appeal.
Q Okay. And if you go to Page 2 of Exhibit 4 and on the top it says, "Date issued January 29, 2024." That's the date it was issued. Do you know when the Department sent this letter with the citation to Mr. Goodwin?
A The date issued is the date the letter is sent.
Q Okay. Thank you. And on top of that it says, "Occurrence Count number 8." What does that mean?
A Eight is the 8th occurrence of this particular violation. It is the -- once a citation becomes final -- so there are other citations that are not part of this matter -- but once a citation becomes final, that's occurrence number 1. The next time the violation happens, that would be issued at occurrence count 2.

It's nothing more than the order of how these -- of issuance.

Q Thank you. And, now, going back to Exhibit 2. That's the one that had some e-mails the Department sent to Mr. Goodwin; is that correct?

A Yes.

Q So after the Department sent these citations shown in Exhibit 4, the Department sent those e-mails shown in Exhibit 2?

A Yes. For instance, this citation that's in Exhibit 4, it's the first citation that would be Page 1 of Exhibit 4. That citation can be found on Exhibit 2, Page 3 as one of the ones listed there. It would be the fourth one down from the top and this e-mail notification here is correspondence. It's -- Page 3 of Exhibit 2 is another communication between the Department and -- and to Mr. Goodwin about payment.

Q Thank you. One second.

Now I want to ask about Exhibit Number 3. Can you tell me what this is?

A Exhibit 3 is a comparison of outstanding citations we have out within the Department agency software called Quick Hearts. In that database there is a list of these citations. These are the citations that have outstanding penalties and what we were looking -- what

this compares is that we also have the ability to look at automated accounts. When you look at automated accounts and compare that to the Department's database, there's a different number of citations listed in other words all citations that are not with automated accounts -- being a third party collection agency. So this is a comparison of which are with automated accounts and which are held by the Department.

And what that shows is that while some are probably -- well, less than half are held with the Department, there's another bunch held with automated accounts.

Q Okay. So in here I can see that there was a column called, "E." It says, "automated accounts," and there is a number. Are those the citations that are with automated accounts?

A Yes.

Q And there is a column called, "F," and it says, "other." It also has penalty amounts. Are those with the Department?

A Yes. That would -- we cross-checked and confirmed in column G with the staff that it actually changes status on citations and works directly with automated accounts. She -- her name is Donna Vance, no relation to me -- was able to confirm which ones were with the Department and

which ones were held by the third party collection agency.

Q And regarding the ones which are with the Department from column F, is Mr. Goodwin in a payment plan for those outstanding penalties?

A He is not.

Q Okay. And I wasn't sure if you heard he was talking about a payment plan that he was in a payment plan for the penalties with automated accounts. Why is it the Department sends certain citations to a collections agency?

A Once the Department has exhausted it's ability to collect, they -- they refer the citations to a third party collection agency. We initially provide the first demand, which is an opportunity to appeal or pay the citation, followed by a demand letter two. Which these are all things I'm speaking of that are in Exhibit 4. We send a second demand letter which then provides instruction for payments. Once we get beyond that or rather beyond our area of expertise, that is when we refer it out to a third party collector.

Q Thank you. What is the total amount of money -- what is penalty amount for the citations that the automated accounts have?

A The outstanding citations is $38,000.

Q And did you have an opportunity to review Mr. Goodwin's proposed Exhibit A?
A I have not.
Q Okay. Can you please go to proposed Exhibit A, Page -- one, two three, four -- Page 4 and can you tell us -- first of all, what is that? Do you know what is?
ALJ MARTIN: Is there any way to send Exhibit A to the Board?
MR. JOHNSON: We received it from Courtney; is that correct?
ALJ MARTIN: Correct.
MR. JOHNSON: I have that.
ALJ MARTIN: Could you let me know if you received that Exhibit? Okay. I'm getting a thumbs-up. The Department can proceed.
BY MR. SOSA PADILLA:
Q Can you please go to page -- I believe I said Page 4, Line 20. Can you tell me how much money these automated accounts are asking Mr. Goodwin to pay or at least the complaint -- what the complaint is saying that is being owed?
A Yes. The amount that they're saying is outstanding here is $35,357.75. That somewhat aligns with the $38,000 showing in Exhibit 3. So I think -- I think we are talking about -- in my estimation, we're talking about

the same thing here. This $38,000, depending on a payment or two he made there may be a difference. It seems to align.

Q And based on this complaint, is this money the automated accounts trying to collect from Mr. Goodwin money owed to -- to whom?

A It's owed to the Department of Labor and Industries. What a third party collector does is they take the debt that's sent and we will be paid back. We don't make any money from interest or anything, it's just the penalty. The collector, they will be compensated through interest and -- and other fees that they charge.

Q Thank you. Now, let's go back to why is it that the Department did not allow Mr. Goodwin to renew his electrical license?

A Well, the Department relies on rules that are adopted by the Department under the Administrative Procedures Act. Essentially, WAC 296-46B-909 states that the Department will deny renewal of a license, certificate, or permit if an individual owes money as a result of an outstanding final judgment to the Department or is in revoke status. So the Department will deny application of a license, certificate, or a permit if an individual is suspended or owes money as a result of an outstanding final judgment to the electrical program.

Q Thank you. And what about 296-46B-940? Would that be also applicable?
A That would be. 940 subsection 1 essentially says the same. The Department will deny application, renewal, restatement, or issue of certificate or permit if an individual owes money as a result of an outstanding final judgment or judgments under chapter 19.28 RCW.
Q And I want to confirm, that part that says under chapter 19.28 RCW, is that the electrical?
A That is the electrical statute of the State of Washington.
Q Okay. And I want to confirm, are you here to testify on approximate behalf of the Department regarding the rules and regulations applicable to this case?
A I am.
Q Okay. And then you were talking about final judgments. Is there a definition of final judgement?
A There is. And -- and a final judgement is when the --
Q Before you explain, where is that definition?
A That is in WAC 296-46B-100 I believe.
Q 100, okay.

MR. SOSA PADILLA: Can I share my screen?

ALJ MARTIN: Yes.

MR. SOSA PADILLA: I will share my screen so everybody can see what we're talking about. For the

record, Mr. Vance is also looking at my screen which is being shown to everybody in the Zoom.

THE WITNESS: Final judgment means any money owed that is owed to the Department under this chapter including fees and penalties or any money that is owed to the Department as a result of an individual contractors unsuccessful appeal of a citation.

BY MR. SOSA PADILLA:

Q Does it matter that Mr. Goodwin owes money to the Department because of one license, the electrical administrator, but he is trying to renew his other electrical O1 license?

A It does not. The rules are -- they don't discriminate. They don't say -- they don't individualize it in any way.

Q So I'm not sure if you remember, but Mr. Goodwin was testifying about trying to insulate himself between the consequences for not paying penalties by having his administrator license and his O1 license. The way the Department interpret these rules and regulations means that he can't insulate?

A That's correct. The idea -- I'm personally a master electrician and if my master electrician certificate was, say, revoked, I lose both abilities to go in and be a master electrician and the ability to work as a

electrician. The way to less this risk is to hold both and what would happen is if I had one of them suspended or revoked, it wouldn't effect the other.

In a situation where you owe money, there is no -- nothing insulates you. If you owe money, you owe money.

Q So basically what matters is the holder of those licenses is the one responsible?

A The holder, yes. The holder is the one who is responsible for the outstanding penalties. He could have a -- he could also have a plumbing certificate -- you know, it wouldn't really matter which variety of certificates. The fact that there's outstanding penalties as a result of a final judgment, it effects all of the certificates.

MR. SOSA PADILLA: Thank you. Give me one second. I will look and see if I have any questions left.

I have no more questions.

ALJ MARTIN: Thank you very much. Do you have any questions, Mr. Goodwin? If so, you're welcome to ask them?

MR. GOODWIN: I do actually.

CROSS-EXAMINATION

BY MR. GOODWIN:

Q So you referred to the citations and you dug into all of them essentially. Do you have any of the records of the original permit numbers that were called originally and then repurchased for all these to try and reinspect those?

MR. SOSA PADILLA: Objection, relevancy.

ALJ MARTIN: The Department is saying that is not relevant. Your response?

MR. GOODWIN: I'm responding in a sense that what those permits were pulled for in the first place to re-pull, that's pretty much the whole downfall of why I had to shut my business down. I was getting -- my other side of my company was pulling permits on my behalf without my knowledge of it. That's why there's 46 or more. Once I came to knowledge of it, I communicated with Tony Connelly (phonetic) and Jason Dillback (phonetic) and --

ALJ MARTIN: Hold on for a second. I'll allow the question. It cannot be testimony. I will allow it if Mr. Vance knows the answer.

BY MR. GOODWIN:

Q Did you find any -- any information on additional permit numbers prior to the ones for the citations?

A It was something that I was looking at as part of the relevance, so I did not research the permits numbers that led to the citations.
Q Okay. And, not important, but, I mean, the attempt was there to make it right with the permits that were pulled unbeknownst to me, it's just we didn't do the work and I tried to pull -- re-pull the permit as instructed by Don Almer (phonetic) in the Yakima County District and get as many of them inspected as possible. At that point in 2024 --

ALJ MARTIN: Do you have a question for Mr. Vance? You'll have a chance to testify regarding these facts, but do you have a question?

MR. GOODWIN: No.

BY MR. GOODWIN:

Q I mean, I guess, you did not dig into it that deep?
A Correct.
Q And then, I guess -- let's see -- can you read the verbiage to me in the first sentence on 909?
A It says, "The Department will deny renewal of a license, certificate, or permit if an individual owes money as a result of an outstanding final judgment to the Department or is in revoked status."
Q Okay. So, I mean, the way I interpret it obviously is the Department will deny renewal of a license, not all

licenses, am I right? It says a license singular.
A It's speaking in a singular term, but it would be any license.
Q And then can you go to 940 as well and read me the same?
A Yes. 940 subsection 1 reads, "The Department will deny application, renewal, restatement, or issuance of a certificate or permit if an individual owes money as a result of an outstanding final judgment or judgments under chapter 19.28 RCW."
Q So can you concur that even on that one it refers verbiage as a singular certificate or permit, and not all certificate or permits?
A I --
Q Just the way it's written.
A The way it's written we're talking about one and possibly every one, meaning that when I'm looking at one --
Q I'm just asking how it's written. Is it written in a sense that it -- essentially it can be taken either way, singular or --
A Yes. We renew applications one at a time and we would apply the appropriate law to each one.
Q Okay. In reference to you -- I commend you, I had the thought of getting my master license to you and

obviously you just reiterated my idea of what I thought was protecting myself -- can you enlighten me why you offer the opportunity to carry two separate licenses instead of just offering the one master license?

A It's because we had an administrator certificate that came into the law much earlier than the master. We came -- the master was implemented in about 2003 and I had just passed the administrators exam and had an opportunity to grandfather into a master certificate. Part of the reason for master electricians is that at that time we were part of a reciprocal licensing group and they also had master electricians and Oregon has something very similar already called a supervising electrician. It wasn't anything more than an opportunity for electricians to be able to combine the two licenses and be licensed in other states, I guess, would be one of the things I would speculate.

Q And, I guess, in your personal opinion, is there any reason why the Department offers two separate licenses if you're penalized for both whether you carry one or both?

A I don't think there is. Personally, it's just a financial decision for me.

(Cross-talk.)

A It's less expensive to hold a master electrician certificate. You save yourself part of a renewal fee every three years.

MR. GOODWIN: That's all the questions I have.

ALJ MARTIN: Any questions by the Electrical Board Members?

MR. NORD: Board Member Nord here. I have some questions.

Based upon your extensive review of this case, all these citations were issued against Mr. Goodwin's administrator license; is that correct.

THE WITNESS: That's correct.

MR. NORD: Okay. And $38,000 you referred to in the automated accounts, that's the actual amount of the penalties from the Department, that does not include $10,000 interest, $6,000 collection fee?

THE WITNESS: That's correct.

MR. NORD: He actually owes approximately $55,000?

THE WITNESS: This is the first time I've seen those. We're really not privy to that information.

MR. GOODWIN: Am I allowed to answer that?

ALJ MARTIN: Not right now.

MR. NORD: That's all.

ALJ MARTIN: Board Member Johnson, do you have a question?

MR. JOHNSON: I was wondering, Mr. Vance, if somehow Mr. Goodwin was able to be current on his payment plan, would be Labor and Industries renew his license or would you have to wait until it is paid in full?

THE WITNESS: Mr. Goodwin's current payment plan -- my understanding of it -- it only applies to certain citations. There's other outstanding citations held with the Department that are not in a payment plan.

BOARD MEMBER JOHNSON: But if he was current on all payment plans but stilled owed a balance, how would that -- how would the Department treat that?

THE WITNESS: The Department does have the ability and we do have a practice of when a party enters into a payment plan with the Department, they're placed in a status where they're allowed to renew. We review those payment plans on a regular basis to make sure that the person is current in those plans. That would be all debts held with Department.

And in this case, as I testified earlier, there were offers of payment plans, but Mr. Goodwin did not opt for those. So, to answer your question, there is a

way for Mr. Goodwin to be in a payment plan and have the ability to renew, but not the way his debts are currently configured.

BOARD MEMBER JOHNSON: So, as a follow up, at the conclusion of this hearing and this decision, is Mr. Goodwin able to work with the Department for a new payment plan? Is that an option that the Department will still do?

THE WITNESS: That would be an option for Mr. Goodwin to the extent that once the debt is gone to the third party, there's money owed to the third party and the Department would not be the one that would be owing those monies. It would be rather complicated to get all of the debt back to the Department.

BOARD MEMBER JOHNSON: What if -- if it's on a third party plan, is there a means for him to handle that though even if it doesn't go back to the Department?

THE WITNESS: We don't know. For instance, we wouldn't know that he's defaulted on payments with a third party. We're now aware through Mr. Goodwin's testimony and the exhibits that he provided that currently he's not making payments and not current. That's the reason that we don't enter -- we don't change the status of someone who is held by a third party

because we're just unable to know of their status.

BOARD MEMBER JOHNSON: I guess last question on this. Is there any path forward at the conclusion of this proceeding for him to, I mean, enter a payment plan with you guys or someone else to have a path forward? Is there any path forward, or is this with the third party?

THE WITNESS: I don't know that I can speak to that because payments plans are -- are under purview of the Chief Electrical Inspector with advice from our legal -- our legal -- our AAG's. So the thing that's complicated here is there's a certain amount of debt that's held by a third party and once that -- once they assume that there are additional fees and interest owed to that party because they've taken actions, expended resources.

It's not like the money -- those debts can just come back to the Department. Somebody has to -- somebody has to at least compensate the third party for the fees and interest they incurred.

ALJ MARTIN: Any other questions, Board Member Johnson?

MR. JOHNSON: One last one. I'm wondering about there's bankruptcy. Until a Judge discharges a bankruptcy debt, is there any obligations the Department

has to respond when someone has filed for bankruptcy, or is that wait until the judge has actually discharged or not discharged debts?

MR. SOSA PADILLA: I will object, irrelevant.

ALJ MARTIN: Mr. Goodwin, any response to that objection?

MR. GOODWIN: I guess. This is a debt that I'm trying to discharge because unbeknownst to any of the electrical people in this room, that $38,000 is not the only accounts that I have in automated accounts. My citations are doubled with my admin license. It is about $55,000 that I owe for my admin license, and I have been matching $55,000 for my business license that got cited too. I have about $110,000 that the Department is asking me to clear up to be able to work within my trade.

ALJ MARTIN: I'll allow the question. Mr. Vance, if you know the answer you're welcome to answer.

THE WITNESS: It's my understanding that once we receive notification that a debt has been discharged, that that ends any ability that we have to deny somebodies application to retest or deny application.

ALJ MARTIN: Board Member Johnson, any follow-up?

MR. JOHNSON: I would like to hear the follow up from my fellow Board Member Knottingham.

MR. KNOTTINGHAM: The statutory authority for the RCW that you read is 19.28.381 and it says, "The Department may deny renewal of the certificate." Can you tell me why the Department instead of going with the, "May decide to deny a renewal," instead of possibly deny? Does that make sense?

THE WITNESS: Yes. The statutory authority for the rule is RCW 19.28.381 and the rule interprets the law. Those rules were adopted under the Administrative Procedures Act and I can't really speculate as to why they did it or did not. I think that -- I think that while we're not unlike others that have laws that would prevent us from performing an action if there's outstanding penalties. I know that if I got a traffic fine and I'm in a payment plan, they consider that matter settled for the purposes of owing money.

What we don't have here is we don't have Mr. Goodwin in a payment plan that would cause us to put him in a status that would allow him to renew. It's not considered settled because he doesn't have his debt in a payment plan with us. There's no payment plan for us, it's not with a third party collection agency. Part of the debt that is with the third party agency is something that we're not privy to as far as Mr. Goodwin's payments. We only know when the collector

let's us know that a particular citation was paid off. What they do is they forward monies to us. If there's $4,000 owed, they pay us $4,000 and they let us know that and -- and we change the status.

MR. KNOTTINGHAM: The reason I ask that question is directly to, you know, do you go after multiple licenses, all licenses they hold, or just the one they owe the money on.

I appreciate your response. Thank you.

THE WITNESS: Yes. And it would be all. It would include any certification held under this chapter.

ALJ MARTIN: Any other Board Members have any questions?

MR. NORD: Board Member Nord. Has the Board ever had any citation -- there's approximately 40 of them?

THE WITNESS: I'm not sure of the exact count, but I'm not aware of any appeals -- there was never an appeal of the citations that I'm aware of.

MR. NORD: Okay. Some of these citations appear to be several years old, some as many as three. Once these citations were issued, was there ever any ongoing conversations with Mr. Goodwin or his company, or did it go stale?

THE WITNESS: There's a certain amount of correspondence -- for example, in Exhibit 2 -- with

Mr. Goodwin about citations that were in the appeal window and it has passed. Then it's now time to address them, either let's establish a payment plan or pay the citations through a, you know, third party collection. They don't particularly go stale from that regard. Once we -- the reason why we employ a third party is to avoid them going stale.

MR. NORD: So the Department with fulfill all its statutory obligations in regards to all these citations?

THE WITNESS: We follow the Administrative Procedures Act and had given Mr. Goodwin all the notices.

ALJ MARTIN: Board Member Myers, do you have a question?

MR. MYERS: The question I believe is for Mr. Vance. I was curious about the WAC and the singular and all license whether there's supporting language in WAC that might better specify that all licenses would be unable to renew with the debt owed.

ALJ MARTIN: Your question?

MR. MYERS: I'm curious if there's WAC language that may better clarify that all licenses would be un renewable until the debt is repaid, versus the argument of singular.

THE WITNESS: I understand your question, but I

don't particularly agree that it's singular in the fact that it doesn't say -- it doesn't say at administrator license, or at electrical certificate. There's not a reading the way I read this that it does not apply to just one. It can be more than one. If somebody submits an application I review that application and I look and I find that there is outstanding penalties. What this tells me is that I'm going to deny that application because it's not specific to each type of certificate.

There's three different type of certificates -- essentially, four if you include training certificates, five if you include modified training certificates -- but there's an electrician certificate, administrator certificate, master electrician certificate, and those that I just mentioned as well. If you hold any of those or all of those, those would be effected by this WAC.

ALJ MARTIN: Board Member Myers, any other questions?

MR. MYERS: No, thank you.

ALJ MARTIN: Board Member Johnson?

MR. JOHNSON: Looking at Exhibit 3 it appears that Mr. Goodwin owes money currently to both the Department and automated accounts. I'm wondering what's the nature of -- of that debt to automated accounts? Is that debt that was sold to the automated accounts which

would mean that he no longer owes it to the account meaning that's excluded from WAC 296-46B-940, or is that just you're paying automated accounts for their services and the Department still owns that debt?

THE WITNESS: I believe it's a no fee contract with the third party collection agency. We only -- we send over debt. If we're looking at Exhibit 3, we would have sent over $38,000 worth of debt. That's the only amount we can have returned to us. We do not receive any share of fees or interest that automated accounts would add to that amount.

BOARD MEMBER JOHNSON: I'm wondering, who is the legal holder of the debt? Are you contracting to automated for the collection, or have you sold the debt to them? I'm wondering who is the legal holder of that portion of debt?

THE WITNESS: We don't sell the debt to them. What we ask them to do is collect the amount that we are owed, and what they do in order to be compensated for that work is add interest and fees on top of the amount that's owed to us. When the deter pays off -- pays off automated accounts, automated accounts only return the money to us that -- that we are owed.

BOARD MEMBER JOHNSON: Okay. So the Department retains the legal ownership of that portion of the debts

then?

THE WITNESS: Absolutely.

MR. JOHNSON: Thank you.

ALJ MARTIN: Any other questions? If so, you're welcome to ask.

MR. BARNES: Randy Barnes. Would you say that one of the reasons for the administrator certificate is for people to be able to participate in the business side of the industry without having to wait four years to get the master?

THE WITNESS: Absolutely. The administrator certificate is something that a person can qualify for with no pre-rec's whatsoever. Anyone can contact our third party testing vendor that's currently psi and take that exam. Once they pass that administrators exam, they're able to become the assigned administrator for an electrical contracting firm.

MR. BARNES: The second question you may not know the answer to. Are you aware of the Department being served or provided any notice of bankruptcy protection?

THE WITNESS: Not for Mr. Goodwin.

MR. MYERS: Thank you.

ALJ MARTIN: Any other Board Member questions? Hearing there are none, redirect by the Department?

MR. SOSA PADILLA: I have no questions.

ALJ MARTIN: Mr. Goodwin, any recross within the scope? Any follow-up questions of Mr. Vance based on questions asked by the board members?

RECROSS-EXAMINATION

BY MR. GOODWIN:

Q Can you agree that the -- the singular and verbiage of the administrative code that you were citing to, it can be interpreted either way and you are interpreting it the way that it's a singular instead of all licenses? I will say, it can be read and interpreted both ways.

A I wouldn't agree with that from the standpoint that when I receive an application, I'm looking for an outstanding penalty or -- it could be just one outstanding penalty.

Q I guess, I'm asking you're referring to a application as a application singular or singular license, but you're contesting it against any monies owed or anything else that doesn't pertain to that license is what you're making your decision on?

A It has to be -- if they owe money as a result of an outstanding judgment under chapter 19.28, yes.

Q Or a segregated license not intermixed with the license that an application is being submitted for and

a separate license contains citations? You don't -- don't make a judgment off citations that are delegated to something different than what's being applied for?

A I don't see a partition in any of these rules.

Q I also don't see what you're trying to apply also.

MR. SOSA PADILLA: Objection, argumentative.

ALJ MARTIN: I will sustain that objection. We'll agree to disagree. I think it calls for a legal conclusion that the Electrical Board will be responsible for deciding.

Any follow-up questions?

MR. GOODWIN: That's it.

ALJ MARTIN: Any redirect?

MR. SOSA PADILLA: No.

ALJ MARTIN: Any follow-up Board Member questions based within the scope of the question just asked?

Hearing that there are none, Mr. Vance, you are excused. You're welcome to leave this hearing.

We've been going for an hour. Can we take a ten-minute break? Would that be agreeable? And when we return does the Department have any additional witnesses?

MR. SOSA PADILLA: Department is resting.

ALJ MARTIN: It is now 2:00. Let's take a break until 2:10.

(Brief recess.)

ALJ MARTIN: We're back on the record.

The Department concluded its case subject to possibly providing a rebuttal.

Mr. Goodwin, you were placed under oath previously. Now is your opportunity to tell the Electrical Board everything you want them to understand about your case. If you wish to testify or present a case, you're welcome to do so now.

MR. GOODWIN: Again, I'm not trying to testify that I don't owe the Department citations or money against my administrator license. I own that. I do -- I do want to push the case that there is no direct verbiage like in the last page that's written in the RCW laws or the code that really definitively states what Mr. Vance stood behind. It doesn't black and white say that it shall apply to all your licenses. There is nothing -- I mean, that is a direct singular persons interpretation of it. Every one in this room could read it and interpret it their own way. I want to say that's a downfall of the way it's written in leaving it gray and open ended.

I do have a current job. Our agreement is that

I have to have my journeymen's license figured out by the end of November otherwise I lose my job. I mean, it's a job that's in the electrical field for the Department of Energy and I put 20 years into this trade. I know the code very well and the WAC very well. There is a lot of gray areas to certain aspects of this. I'm asking for some leniency to at least give me the right to renew my workability and employability within the State.

My craft is electrical and I'm being denied what I interpreted as what I was doing to insulate and secure myself in my own craft. Really the only thing I need and desire to be overturned is my right to retest and renew my license. Obviously I know my admin license is going to be gridlocked and withheld. It's already inactive and I owe citations on it. It has nothing to do with my journeymen's license and ability to work within my field. That's the only way I'm going to be able to pay these citations going forward and you guys denying me this is denying me the ability to even make an effort at paying the Department back.

Ultimately, my case is built on the gray area and lack of verbiage that actually states what Mr. Vance is trying to stand on. I understand where the State's position is, but there's just no direct way to interpret

it, the law and the code. There is no direct verbiage that actually backs up what you're trying to stand behind to deny all my licenses. I understand the one singular admin license, but that was the whole point.

And I know there's many other people in the trade that have tried to do the same thing that's supposedly trying to insulate themselves to protect their right to work within their trade if business does not work out for them. Not saying it's going to be in the same manner, but it's to try and allow yourself to be able to press on and still provide and make a living.

That's all I have.

ALJ MARTIN: Anything else?

MR. SOSA PADILLA: Is this closing statements? I just want to object to legal conclusions.

MR. GOODWIN: I apologize.

ALJ MARTIN: Anything else you wish to add or for the Board to understand?

MR. GOODWIN: No. I'm -- the only reason I stopped making payments on my accounts is to see what is actually going to be allowed to be discharged. Obviously I know I'm not going -- my attorney has advised me it's probably not, but I knew to wait until November 12th to find out and then I will make a new payment plan going forward granted that I can still

continue to work. That's it.

ALJ MARTIN: Department, cross-examination based on Mr. Goodwin's testimony?

MR. SOSA PADILLA: No.

ALJ MARTIN: Do any of the Electrical Board Members have any questions of Mr. Goodwin? If so, you're welcome to ask.

All right. Hearing that there are none, there would be no need for redirect. Thank you very much for your testimony today.

Mr. Goodwin, do you have any additional witnesses you wish to call, or are you now resting your case?

MR. GOODWIN: No, sir.

ALJ MARTIN: Let me turn it back before closing arguments.

Department, any rebuttal case or move to closing?

MR. SOSA PADILLA: Move to closing.

ALJ MARTIN: Okay. The Appellant has the burden of proof by a preponderance of the evidence.

Mr. Goodwin, I will give you -- I'll give you the first and last word. If you want to provide a closing statement now you can, or you can stand on the record with everything you've testified to so far. If

you do provide a closing statement, do not bring up any new testimony or facts you haven't previously testified to.

MR. GOODWIN: I guess my closing is literally in the sake of my family, my ability to actually provide for my family. If I can get anything out of this Board it's that you have every ability to do is at least overturn to let me test and renew my license. I am totally fine dealing with the admin aspect of it in the future, but for the sake of just special circumstances and allowing a guy to actually press on from an already bad ending situation I ask the Board to overturn the -- the decision on my denial to retest.

ALJ MARTIN: Okay. Anything else?

MR. GOODWIN: That's it.

ALJ MARTIN: All right. Department, Assistant Attorney General Sosa Padilla, any closing statement on behalf of the Department or waive closing?

MR. SOSA PADILLA: Thank you, Judge. This case is similar to the one that you heard earlier in the sense of facts are not in dispute. Mr. Goodwin has the knowledge that he owes money, so money is being collected or there is a collection agency trying to collect that money. Some other citations with their associated penalties are still at the Department level .

That is not at issue.

The issue mainly is what the Department can do, or should do, or what they need to decide is whether the Department was correct in not allowing Mr. Goodwin to take the O1 exam, even though all the money that he owes, let's say, belonged to the electrical administrator license. Unfortunately, the Department cannot -- I want to bring this up first -- this was a question from one of the Board Members regarding the RCW. There is an RCW 19.28.381 that says the Department may revoke or suspend. They were asking it may. However, the Department, it has Washington Administrative Code 296-46B-909 and 296-46B-940 and those ones are talking about the Department will deny it. So the legislature when they created RCW 19.28.381 he gave basically the Department an option to do it or not do it. However, the Department when they created those regulations, they -- they took that option away. They forced themselves to say they will deny it. I just want to clarify that.

then when we're talking about 296-46B-940 Mr. Goodwin is arguing the way that this should be read or interpreted is that if he owes money or anybody owes money due to citations against one license, that should not go and apply when they're trying to renew a

different license. However, unfortunately for Mr. Goodwin, that is not correct for two reasons. One, if you're reading RCW it says, "the Department will deny application, renewal, restatement, or issuance of a certificate or permit if an individual owes money." It's simple to interpret it if you flip this part -- the parts of this section or sentence and read first, "If an individual owes money as a result of an outstanding final judgement, the Department will deny, application, renewal, restatement, or issuance of certificate." When you flip it, you realize how to interpret it.

Now, you will say the way the it's written it's written, we don't be need to flip it. But the problem is that when we're talking about interpretation -- and I will try not to bore you -- but when judges -- generally speaking, judges are the ones interpreting rules and regulations. One of the things that they need to do is what I just said. They do not add words to a legal provision. In here in order to read this subsection 1 of 940 or the note in 909 you would need to add something like, "As long as the money is owed is linked to a specific certificate." In here there's no exception. If an individual owes money the Department will deny application, renewal, restatement, or issuance, or permit. It doesn't matter whether the

money is owed based on a different certificate that is not being renewed or reinstated. That is one of the issues.

The other issue is that Mr. Goodwin when he asked during cross to Mr. Vance a question about any permit, Mr. Vance gave the Department's interpretation of its rule. I understand that Mr. Goodwin doesn't agree, however it says that if there is any (inaudible) or regulation, Boards and agencies interpretation of the law carry great weight where the statute is ambiguous and within the statutes -- agencies special expertise.

Why is this is important? Mr. Vance gave the official Department interpretation of its own rule. This rule was created by the Department, so it is within this agencies expertise. The Court needs to give great weight to that interpretation.

To summarize, when you're reading it there is no exception. It says if an individual owes money, the Department will not -- will deny application, renewal, issuance of certificate. It doesn't say that as long as that money is owed to the license this person is trying to renew. They need to give great weight to the Department's interpretation and you heard Mr. Vance clearly the way it's interpreted. And just to remind everybody the definition of final judgment because the

way that it says if an individual owes money as an outstanding final judgment, the definition is any money that is owed to the Department under this chapter. And we know that in this specific case all of those citations that they are department level, collection agency, they are owed -- Exhibit 4 showed us when the Department issued those citations to Mr. Goodwin, but also Exhibit 2 shows all the steps the Department took to try to collect or get that the money. Thank you.

ALJ MARTIN: Okay. Do any of the Board Members have any questions based on Assistant Attorney General Sosa Padilla's closing argument?

UNIDENTIFIED SPEAKER: There's a WAC 296-46B-990 which talks about failure to provide for the electrical licensing administrative certification laws. Under section 3, "Willful, intentional, or noncompliance of the provisions of chapter 19.28 RCW for this chapter the purpose of this section continuance noncompliance of the electrical law, rule, or regulations within a period of three years or otherwise demonstrated that the contractor, master electrician, electrician, or administrator has continuously failed to comply with the standard." To me it makes no distinction between them. They're all looped together as one. So the argument that administrators license is totally separate with a

wall between it to an O1 license, I don't believe that wall exists.

That is a question for the Department.

MR. SOSA PADILLA: So what you're saying is that under this WAC 990 subsection 3D for the purpose of this section serious noncompliance includes and it says willful, intentional, or continuous noncompliance with this chapter. So what you're saying is that --

UNIDENTIFIED SPEAKER: It makes no distinction between the levels of licensing. So as I read this, if a master electrician is not in compliance and he has an O1 license, that license is also affected or that admin license would also be effected because this particular section lumps all of them together in regards to the statute. Am I misreading it?

MR. SOSA PADILLA: Unfortunately I -- I mean, I knew about this specific regulation but I don't want to try to give you an answer without reading it through. I think that what you are saying is what Mr. Vance was saying through his testimony saying that it does not matter. There is no insulation. Again, I don't want to tell you that you are correct, but that's what Mr. Vance was saying there's no way to insulate. And that's how I'm saying he cannot be insulated because of the way these two regulations are written.

UNIDENTIFIED SPEAKER: And that's all my position. It makes no distinction and no insulation between any of those. They're all together as one. So mistreatment of one, effects treatment of the others.

MR. SOSA PADILLA: I understand your point, yes.

ALJ MARTIN: This might be something to deliberate over.

Do any Board Members have any further questions?

Hearing none. This is Mr. Goodwin's appeal. You get the last word. Anything in rebuttal in your closing statement?

MR. GOODWIN: I guess to end it standing on my entire case not being clear enough to stand on what you're trying to -- Mr. Padilla is trying to push in the interpretation of it, even he said -- even he said a judge isn't going to do anything besides read exactly what is written in the law itself and you're asking us to flip words around in the actual way it's written. You just told us a judge is not going to do that. It goes for the same thing in the 909. It's the same deal. There's just not enough verbiage to stand up and say that's definitive. I understand that Mr. Vance is very respectable and that's his stance, but that's an individual stance that's putting out the Department's interpretation of that which still doesn't have enough

verbiage to actually say which is which. It's just not written specific enough to actually, in my eye's, make that call.

I respect the question in the 990 because I read that to0, but my rebuttal to that is if that's how it's written then why do we give citations individually and not across the board on every single license? In my opinion, it's a lack of verbiage and a lack of specifying the actual meaning of the RCW's and the code that we're supposed to abide by. It shouldn't be up to interpretation, it should be more black and white. I don't want to -- if I -- if I have to, I will chase further up the chain and I will see you again. I appreciate everybody's time.

ALJ MARTIN: Any questions of Mr. Goodwin based on his closing legal argument? Hearing none.

Thank you everyone for your participation today. At this point I'm going to officially close the record which means no more additional evidence and testimony should be considered or reviewed by the Electrical Board. I will turn it back over to Chairperson Jenkins. I will allow you to begin your deliberations and make a determination regarding this matter.

Thank you very much everyone for your time and we are adjourned.

CHAIRPERSON JENKINS: Thank you. I would like to open the floor to members of the Board.

Board Member Nord?

MR. NORD: Randy back to my thoughts on 296-46B-990 subsection 3D. What are your thoughts?

MR. BARNES: I believe that 990 does not make a distinction between licenses. It does not provide any insulation. It's related to revocation the --

(Cross-talk.)

MR. BARNES: There are instances, absolutely, where a contractor, their license and certification, would be cited, suspended and there wouldn't be a distinction between the two in terms of that. Does that answer your question?

MR. NORD: It does. Follow up. How do you think that relates to the argument of 296-46B-940?

MR. BARNES: For me 940, 909, and 381 from the RCW, they don't make a distinction. It doesn't talk about a citation. It's not talking about a citation. It's completely related to does a person owe money. Nowhere in there does it say, "This citation related to a license." If it did, it would relate to that. It would say only a citation related to that license or

that certification and it doesn't make any reference to the citation related to the license. It only makes a reference to the person.

MR. NORD: My interpretation would be that all of these WAC's and RCW's apply because of the owing money?

MR. BARNES: That's my understanding as well.

CHAIRPERSON JENKINS: Bother Member Johnson?

MR. JOHNSON: The rule is very clear to me in 941. I spent a lot of time reading statute and rules and I believe the Department's interpretation is correct. The reason why is because it says if there's an outstanding final judgment under chapter 19.28 RCW -- which that chapter is all electrical licenses -- that means if there's -- so if there's anything that's owed for a final judgment on any electrical license, then the Department doesn't have to renew a license. So there is not the wall.

But, with that interpretation, I do appreciate Mr. Mr. Goodwin's humbleness and acknowledging his past mistakes and so I think it's also important to address a path forward in addition. What I would suggest as option one is he could become current on a payment plan. And I believe that if the Department should offer him a newer payment plan -- and I think regardless if the debt is contracted to a third party or not that does not

preclude the Department from offering a payment plan or figuring out a way to do that. The contract between the Department and automated accounts is not relevant for the outstanding amount owed, and so there should be some means that the Department can figure out how to offer the payment plan.

That is assuming that the debt is contracted not actually sold. If the debt is sold that would not be covered under that 990 number 1 because it only pertains to outstanding judgments with the Department.

I think it's important to note that. There should be a path to become current on a payment plan.

Secondly, he could get a judge and jury to discharge the debt. Now, obviously you'd have to wait. I just to want offer that up to discussion especially on the payment plan because that's within the Department's thing and wanting to find out if specifically, Mr. Barnes, if you -- if you thought that it was possible to figure out a payment plan if Mr. Goodwin was willing to do that.

CHAIRPERSON JENKINS: Board Member Jack Knottingham.

MR. KNOTTINGHAM: Yeah. I think if the Department wanted the renewal or the debt to be tied to a specific certification or license, it would have

specified that. It says if the debt -- if the individual owes money -- there was warnings to this when the citation letter went out that the Department will also deny electrical certificate or license, so I think there was prior warning.

I do like Mr. Johnson's comment about moving forward, you know, what can we do to provide some -- you know, some hope to keep his certification. I think that makes a lot of sense.

CHAIRPERSON JENKINS: Thank you very much. Any Board Members that want to speak?

MR. NORD: Board Member Nord. With the bankruptcy court now involved with this debt, can the Department even legally enter into a payment plan knowing there's a potential discharge?

MR. BARNES: First of all, we haven't been notified of any bankruptcy. We haven't had any official notification. Bankruptcy laws are complicated. We have not received any notification of bankruptcy protection or bankruptcy protection. We could talk about it, but we have had no notification.

UNIDENTIFIED SPEAKER: I don't think Larry talked too much about bankruptcy stuff, so we have to stay relative. You're talking about things you may or may not have gotten from the Department.

MR. NORD: I'm giving a scenario asking for --

MR. BARNES: If somebody entered into a bankruptcy claim or discharge, we will have to sit down with our rep and say how does the Department handle bankruptcy. That's an area we will have to solve with our lawyer and say how do we handle that.

UNIDENTIFIED SPEAKER: Chairperson Jenkins, our goal right now is to decide the situation. That's after the fact. We have to make a decision based on what we have and whether or not it stays or doesn't. That is beyond this.

CHAIRPERSON JENKINS: Right. That's an after thing.

Any questions for the Board that's to do with the denial of application? Hearing none. Do we have a motion? Board Member Johnson?

MR. JOHNSON: I would motion to uphold the Department's decision, but advise -- include an advisement for the Department to work with -- do good-faith effort to work to provide a path forward through a payment plan or some other method.

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

MS. MITCHELL: I second.

CHAIRPERSON JENKINS: Any discussion?

MR. NORD: I believe the two motions should be separate.

MR. JOHNSON: I'd be happy to divide the question, if that's appropriate.

MR. NORD: I believe it would be appropriate. In order.

BOARD MEMBER JOHNSON: Motion to separate the motions.

The fist one is to side with the Department's interpretation, that it is correct, and they are accurate in denying the electrical renewal.

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

UNIDENTIFIED SPEAKER: Second.

CHAIRPERSON JENKINS: We have a second. Any discussion? Hearing none. All in favor say, "Aye."

(Unanimous "aye.")

CHAIRPERSON JENKINS: Any opposed? Motion passed.

Your second motion, please.

MR. JOHNSON: The second motion is for the Department to make a good-faith effort to identify a path forward working with Mr. Goodwin be it a payment

plan or some other fashion.

CHAIRPERSON JENKINS: From counsel, this is an advisement, correct?

BOARD MEMBER JOHNSON: Yeah. It can be an advisement, yeah. I'm recommending they make a good-faith effort to provide a path forward.

CHAIRPERSON JENKINS: We have a second motion to advise the Department to give a good-faith effort to give a path forward. Is there a second?

MS. MITCHELL: I second.

CHAIRPERSON JENKINS: We have a second. Any discussion? Hearing none.

All in favor say, "aye."

(Unanimous "aye.")

CHAIRPERSON JENKINS: Any opposed? Motion passes. All right.

I would ask the AAG Assistant Attorney General Sosa Padilla, would you please prepare an order that best reflects the decision of the Board today? This order may be submitted at any time before the regularly scheduled board meeting unless the parties are unable to agree on an order before the next scheduled board meeting. This matter will be set for the parties to

present their orders to the Board and argue why their order best reflects the decision of the Board. Are there any the questions?

MR. SOSA PADILLA: Nothing for the Department. Thank you.

MR. GOODWIN: Please explain what you mean by the directive for working for a plan forward.

CHAIRPERSON JENKINS: I'm asking him to create an order that reflects what we just decided. If you don't feel that what he presents to you is what we decided, you're welcome to make up your own order and then you show up at the next meeting and we would look at both and decide which one best reflects our decision today. It's an advisement, we can't order the Department to do anything. We're advising them to do it and we're hoping they can work with you on that.

MR. GOODWIN: Thank you.

MR. SOSA PADILLA: I have a quick question. I think it's going to be better for the parties to have the transcript in order to draft the order. I found that many times we think differently what the decision. When is it that the parties will have access to the transcript?

CHAIRPERSON JENKINS: That would be a question for the court reporter.

THE COURT REPORTER: This is the court reporter. Our typical turnaround time is 10 business days.

CHAIRPERSON JENKINS: Okay. Thank you.

Thank you everyone for your time today.

ITEM NUMBER 5

CHAIRPERSON JENKINS: Calling the meeting back to order. I'm going to have Electrical Specialist level 5, Larry Vance.

MR. VANCE: Thank you. I'm Larry Vance. I'm an electrical technical specialist with the Department of Labor and Industries. Today I would just like to review the stamps statistics (phonetic) report with you. I reviewed the report. I have no significant variations of pass rates for examinations. Does anyone have any questions? I see none. Thank you very much.

CHAIRPERSON JENKINS: That was it?

MR. VANCE: That was it.

CHAIRPERSON JENKINS: Where are we at with our contracts?

MR. VANCE: I will let Randy Barnes speak to that.

CHAIRPERSON JENKINS: Okay. Later or now?

MR. BARNES: We have a solicitation out for the

exam provider. We are in the review stage and should see a contract issued approximately November 20th or thereabouts for the exam provider.

CHAIRPERSON JENKINS: So we'll have an answer then is what you're saying?

MR. BARNES: I'm saying we had a solicitation out, and we had people who answered the solicitation, and we had to evaluate the solicitation or their responses and a contract is issued up.

CHAIRPERSON JENKINS: So no answer yet?

MR. BARNES: Not yet. We should have one November 20th or thereabouts.

CHAIRPERSON JENKINS: Thank you very much. Okay.

ITEM NUMBER 6 AND 7

CHAIRPERSON JENKINS: And we have Item Numbers 6 and 7.

Larry Vance, are you part of those?

MR. VANCE: Would you refresh my memory?

CHAIRPERSON JENKINS: It's rulemaking updates and legislative update.

UNIDENTIFIED SPEAKER: I'm the Electrical Technical Specialist level 5, Lauren Flaper (phonetic).

CHAIRPERSON JENKINS: Okay. Thank you very much.

Go ahead.

UNIDENTIFIED SPEAKER: Thank you, Chair. Not really much to report. We have two rulemakings that are coming to fruition. The first one is the EPI structure bill with the advancement of the -- kind of, the billing out of the administrator and exam applications. Those were -- I need to grab my glasses -- we filed the CR103 for that rulemaking back on October 20th and it is going to go into effect on November 20th. That one is right in the home stretch.

The other one is the WAC amendments to National Electrical Code 2026 Edition. We're planning on filing that CR103 on November 17th to be adopted and in place on December 31st, 2026 when we adopt the National Electrical Code 2026 Edition.

CHAIRPERSON JENKINS: Okay. One thing that came to mind from our last meeting is the whole breaker push out. Are we still pushing that out?

UNIDENTIFIED SPEAKER: That's kind of been taken care of for us. The SDA (phonetic) has come out with a TIA in September that pushes that part of the code out to September of 2029, I believe. So the code does -- that code doesn't even exist, so we don't have to worry about it at this point.

CHAIRPERSON JENKINS: Okay. Any questions from

the Board? Hearing none.

SECRETARY REPORTS

CHAIRPERSON JENKINS: We'll go to the Secretary Reports with Secretary Randy Barnes.

MR. BARNES: Randy Barnes here. I'm going to try to push through this. If you have any questions I'll pause in between sections.

Starting with the electrical fund balance. On September 30th, 2026 it was $10,290,228 which is about 3.4 times our average monthly operating expenditures. Our average monthly operating expenditures for the first quarter of fiscal year 2026 $2,935,652 and that compares to $2,938,755 for the same period of last year, which is about a decrease of 0.1 percent.

Average monthly revenue for fiscal year 2026 was $3,317,809 compared to $3,373,184 for the same period last year. This an decrease of about 40 percent. The reason for this decrease of revenue reporting is discrepancies that we're still fixing with the agency that is trying to resolve some accounting, something you've probably heard a couple of times.

June customer service: 43,284 permits were sold last quarter. This is a 98.6 percent for 42,651 of them

processed online. It's a 0.1 percent decrease from last quarter. 99.6 percent of contractor permits were sold online. This is also a 0.1 percent increase from the previous quater. Homeowner online sales for this quarter are 85.3 percent. This is a 0.5 percent increase from the previous quarter. Online inspection requests sit at 72.1 percent which is a 3 percent increase from last quarter. During this quarter customers made 93.2 percent of the whole electrical license renewals online. This is a 4 percent increase.

Again, I'm going to pause. Anybody have any questions before I move on?

CHAIRPERSON JENKINS: When the Board was meeting in person each year, any idea what that costs?

MR. BARNES: I don't know, but I guaranteed we can find that information. We'll work on getting -- I'll get you that number.

MR. JOHNSON: This kind of goes back to the question I asked at the beginning of the meeting. Is there any way that we can get around the travel band and then also -- that you can think of -- and then, secondly, it my presumption that the cost for the Board travel is negligible for the Department's budget.

MR. BARNES: So first question I would address is do you have Bob Ferguson's phone number?

MR. JOHNSON: I wish.

MR. BARNES: So outside of that, we would have to create or show a business justification for why it would benefit our stakeholders to meet in person and that they would see some benefit financially speaking that we could justify to our management. Otherwise, our management then has to sell that to OFM and the governor's team that reviews financial stuff. So is it possible? Vegas would give you horrible odds. It's possible, but not likely.

For the second question I would tell you right now, Greg, every dollar is not negligible to us right now. We're in a budget cycle where we're asking our staff regularly to do everything they can to provide the most bang for our customers bucks, to serve our stakeholders the best they can. Right now you can see what our fund is. We're at 3.4 times our monthly operating capital. I don't see the -- I don't see the building business in Washington State increasing in the near future. I don't have a crystal ball, but I would guess we're going the other direction. Your point is valid. It seem like a small amount. We really are trying to be 100 percent responsible to provide that maximum return for our stakeholders money.

MR. JOHNSON: Are we still anticipating

retirements?

MR. BARNES: Yes. We have several retirements.

MR. JOHNSON: Critical people?

MR. BARNES: Yes. I would say all of my staff are critical. I would say every one of my electrical staff, they're all absolutely critical. But to be more pointed to what you're saying, we're losing a lot of the trust. The experience is leaving. People who have been here know how we got here.

All right. Back to the report. When you look at the key performance measures you see fiscal year 2026 and 2027. These are for the quarter. This is not for the entire year. When you see something that says we normally get 67,000 inspections, that's for the quarter. So when we run down the list fiscal year 2026 our 24 hour response time was 78 percent. In the fiscal year 2027, we've made it up to 85 percent. 48-hour response time in fiscal year 2026 was 90 percent, we're up to 94 percent right now.

Total inspections performed last year in the same quarter, 69,097 compared to currently 67,355. You see a slight decrease. Where you see the increase is in the fiscal year 2026 we only had 11,728 virtual inspections and we're up to 17,625 now. Pretty good increase in virtual inspections.

Focus citations: This one is a little more difficult. Currently you see the field issued 241 last year in the same quarter. E-CORE issued 547 for a total of 788. This quarter we're at 624 issued for E-CORE audit -- for the field -- and E-CORE audit issued 808.

Inspection stops per day per average, 12.3 last quarter, we're averaging 12.2 this -- excuse me -- last years quarter. Serious electrical corrections that would result in disconnection: 8,552 last year in the same quarter, this year we're at 7,705. Turnaround time for an average plan review has gone up a little bit. 1.5 days for plan review last year during this quarter, and 3 days current. Plan review pages currently -- last year, 1,259 for the quarter. This quarter we're at 1,226.

You will see a note in there that the data reflects our backlog on our citation desk. We're still facing the backlog. We're approximately 11 months behind backlog on our citation desk.

Now some really good news. As of October 19th, 2026 there were approximately 844 items that we processed. Our licensing team has been crushing it. They're down to 230 affidavits. If you remember a couple months ago it was -- a couple Board meetings ago we were in a 14 week backlog. Our licensing team has

crushed it and they are a week and half -- couple weeks -- 11.4 days behind. Not even behind, I think that's acceptable backlog. What's the average income on a day?

UNIDENTIFIED SPEAKER: Right now averaging right at 12. And the outlook has been right at 55 to 60 per day.

CHAIRPERSON JENKINS: Who are you again?

UNIDENTIFIED SPEAKER: Sorry. Lauren Flaper, Electrical Technical Specialist for the Department. Sorry.

CHAIRPERSON JENKINS: Thank you.

MR. BARNES: We got some great news because that substantially impacts our trainees and apprentices who are trying to qualify for the exam. In addition to that, you know, our licensing staff are processing lots of other documents and they yield roughly 5,000 phone calls. The good news is as the affidavit numbers go down, phone calls should go down with it.

Citations and field programs; positions are filled. I noted the backlog for citations are sitting at 11 months. One of the things we are trying to do with the virtual program is we had a goal of hitting about 30 percent that was passed down, management wanted to see approximately 30 percent of our inspections done virtually. We're sitting anywhere between 26 to 28

percent right now. The problem is we have a system that does not allow it to be efficient in that, so we're pursuing a project to get a management system to try to get contractors and distribute that workload. Until we get that, I can't see VEI's (phonetic) numbers increasing. That team is redlined from the beginning of the day to the end of the day. Sometime it's slower in the morning. You wait until the end of the day, now you're starting to get in line.

I think that's about it. That's it for our report.

CHAIRPERSON JENKINS: Okay. Any questions for Secretary? Seeing none. Thank you very much for your time.

PUBLIC COMMENT

CHAIRPERSON JENKINS: Last on our list here is public comment. Do we have anybody checked in here? Anybody online that is waiting for public comments? Going once. Once again, anybody interested in public comments? Twice. And a third time, once again, anybody want to speak before the Board?

ADJOURN

CHAIRPERSON JENKINS: Before I close anything, I would like to ask the Board Members to hangout a little afterwards. I got questions for you all.

Other than that, the Chair would entertain a motion to end the meeting.

MR. NORD: Board Member Nord. Motion to end the meeting.

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

MR. KNOTTINGHAM: Second.

CHAIRPERSON JENKINS: Any discussion? Hearing none. All in favor say, "aye."

(Unanimous "aye.")

CHAIRPERSON JENKINS: Any opposed? Motion passes.

Thank you very much for your time.

(Concluded at 3:26 p.m.)

C E R T I F I C A T E

I, SAYGE E. MANLEY, a Certified Stenographic Court Reporter in and for the State of Washington, residing at Montesano, do hereby certify;

That the foregoing proceedings were taken before me and thereafter reduced to a typed format under my direction; that the transcript is a full, true and complete transcript of said proceedings consisting of Pages 1 through 167;

That as a CCR in this state, I am bound by the Rules of Conduct as Codified in WAC 308-14-130; that court reporting arrangements and fees in this case are offered to all parties on equal terms;

That I am not a relative, employee, attorney or counsel of any party to this action, or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That upon completion of signature, if required, the original transcript will be securely sealed and the same served upon the appropriate party.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of November, 2026.

Sayge E. Manley, CCR No. 25008636
Certified Stenographic Reporter

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