

DEPARTMENT OF LABOR AND INDUSTRIES  
STATE OF WASHINGTON

---

ELECTRICAL BOARD MEETING  
TRANSCRIPT OF PROCEEDINGS

(via Skype)

October 29, 2020

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Taken Before:

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1 BE IT REMEMBERED that and Electrical Board meeting was  
2 held on Thursday, October 29, 2020, via Skype, at  
3 9:00 a.m., before CHAIRPERSON JASON JENKINS TRACY  
4 PREZEAU; BOARD MEMBERS TRACY PREZEAU, ALICE PHILLIPS,  
5 JOHN BRICKEY, MIKE NORD, DON BAKER, ERICK LEE, IVAN  
6 ISAACSON, KERRY COX, RYAN LAMAR, BOBBY GRAY, DYLAN  
7 CUNNINGHAM; TECHNICAL SPECIALIST MUTCH, TECHNICAL  
8 SPECIALIST VANCE; and SECRETARY MOLESWORTH. Also  
9 present was ASSISTANT ATTORNEY GENERAL PAM THOMURE,  
10 representing the Board, and BETHANY RIVERA, Board  
11 assistant;

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

13

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\* \* \* \* \*

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CHAIRPERSON JENKINS: It is now 9:00 o'clock  
17 even, October 29, 2020. I'd like to bring the State of  
18 Washington Electrical Board meeting to order.

19

20

21

22

23

As a reminder, as you're coming online, make sure  
you place your mics in mute. Those of you that are  
coming in on a phone line, make sure you also mute if  
you're not talking currently. You have to hit #6, I  
believe, to do that. Both mutes you and unmutes you.

24

25

Another note is chat is not part of the official  
record. So be sure that, if you're going to be coming

1 on record, that it's done verbally.

2 Probably the last thing on my list here is make  
3 sure when you go to talk, make sure you identify who  
4 you are first before you start to speak to the group  
5 here, to the board members.

6 And at this point, if I can have all board members  
7 unmute their mics, we'll do a roll call.

8 Give me a seconds. Let's see who we have today.

9 So Dave Ward? We have Dave Ward here today?

10 BOARD MEMBER PREZEAU: Dave is out today.  
11 He's on vacation.

12 CHAIRPERSON JENKINS: Ryan Lamar?

13 We have Ryan Lamar?

14 Okay. Ivan Isaacson?

15 BOARD MEMBER ISAACSON: Here.

16 BOARD MEMBER LAMAR: I'm sorry. I'm here.  
17 This is -- I got re-muted somehow.

18 BOARD MEMBER PREZEAU: No. No problem.

19 And I heard Ivan Isaacson chimed in.

20 BOARD MEMBER ISAACSON: Yes.

21 CHAIRPERSON JENKINS: And Erick Lee?

22 BOARD MEMBER LEE: Erick Lee is here.

23 CHAIRPERSON JENKINS: John Brickey?

24 BOARD MEMBER BRICKEY: Here.

25 CHAIRPERSON JENKINS: Kerry Cox?

1 BOARD MEMBER COX: Present.

2 CHAIRPERSON JENKINS: Mike Nord?

3 Just chimed in a second ago.

4 Mike, are you there?

5 BOARD MEMBER NORD: Mike is here.

6 CHAIRPERSON JENKINS: Dylan Cunningham.

7 UNIDENTIFIED SPEAKER: Hi.

8 BOARD MEMBER CUNNINGHAM: Present.

9 CHAIRPERSON JENKINS: Bobby Gray?

10 BOARD MEMBER GRAY: Bobby Gray here.

11 CHAIRPERSON JENKINS: Don Baker?

12 BOARD MEMBER BAKER: Don Baker's here.

13 CHAIRPERSON JENKINS: Alice Phillips?

14 BOARD MEMBER PHILLIPS: Alice Phillips is  
15 here.

16 CHAIRPERSON JENKINS: Dominic Burke?

17 And I believe -- yeah, he's going to be coming a  
18 little bit late we have been told.

19 And Tracy Prezeau.

20 BOARD MEMBER PREZEAU: Present.

21 CHAIRPERSON JENKINS: And looks like we have  
22 a quorum.

23 So at this point here I guess we're looking at our  
24 agenda. We have a slight change because the appeal for  
25 William Berst has been settled and signed -- all

1 parties have signed the order. So we can take that off  
2 our agenda today. And so that's a good thing there.

3 Next piece of this is, I guess, the safety  
4 message. Is that done -- a needed item?

5 Did we have something from -- the Department  
6 needed to bring up any safety messages today  
7 considering we're not in the building?

8 AAG THOMURE: No. That's generally for  
9 identifying all exits.

10 CHAIRPERSON JENKINS: Yeah. So that's kind  
11 of what I kind of figured. So that's why I was like  
12 making sure there wasn't anything I was missing on that  
13 one.

14 Okay. On that note we can move on to our Agenda  
15 Item No. 2 for approving the transcripts.

16 And after reviewing those, the Chair would like  
17 to -- was opening -- would open a motion for accepting  
18 the July 30, 2020, Electrical Board meeting minutes.

19 UNIDENTIFIED SPEAKER: This is --

20 MR. PHILLIPS: Alice Phillips, so moved.

21 BOARD MEMBER BAKER: Board Member Baker,  
22 second.

23 CHAIRPERSON JENKINS: We have a motion and a  
24 second.

25 Any discussion?

1           And hearing none, all in favor of the motion say  
2 "aye."

3   (Chorus of ayes.)

4           CHAIRPERSON JENKINS:   Sorry.

5           Any opposed?

6   (No audible response.)

7           CHAIRPERSON JENKINS:   And at this point the  
8 motion passes.   So the Electrical Board meeting has --  
9 transcripts have been approved.

10          Next piece of -- our next item on our agenda is  
11 Department/Legislation updates with Rob Mutch.   Is Rob  
12 Mutch available today?

13                   TECHNICAL SPECIALIST MUTCH:   I am.   Can you  
14 hear me?

15           CHAIRPERSON JENKINS:   Yes, I can.

16           TECHNICAL SPECIALIST MUTCH:   All right.

17           CHAIRPERSON JENKINS:   And I guess, Rob Mutch,  
18 that floor is yours.

19                   TECHNICAL SPECIALIST MUTCH:   Okay.   So good  
20 morning, everyone.

21          So on the agenda there we don't typically list the  
22 items that we're going to cover in the Department and  
23 legislative update.   Those two items were on there from  
24 the last time.   And I'll touch on those, and I'll touch  
25 on a few other things, as well.

1           As far as COVID-19, we are continuing to perform  
2           inspections based on the Governor's directives for  
3           job-site construction work, PPE, distancing, and that's  
4           going fairly well.

5           We do have about nine inspectors that are not in  
6           the field due to high risk of COVID-19. So that's  
7           something that -- the supervisors are giving them  
8           administrative-type work to do that is helping out in  
9           the offices. In addition to that, there's about 11  
10          field inspector vacancies that we have. So if you look  
11          at the nine inspectors that are on high risk and 11  
12          vacancies, that puts us down about 20 inspectors that  
13          are not out doing inspections.

14          That's -- we're able to keep up with that right  
15          now. The workload has kind of dropped off a bit. And  
16          we anticipate that's a drop -- continue dropping  
17          through the wintertime. So we're able to manage that  
18          right now.

19          We have increased our VEI inspectors. We've gone  
20          up to five positions now. We hired two more. And we  
21          have another opening for virtual electrical inspector.  
22          And those guys are really valuable in helping out the  
23          field offices and keeping their response times  
24          reasonable.

25          So, you know, the -- all of the VEI virtual



1 inspections are performed within 24 hours because  
2 it's -- it's the customer scheduling the inspection at  
3 the time that they want it. So that program is proving  
4 to be pretty successful.

5 And by the way, if anyone has questions while I'm  
6 going through this, feel free to just interrupt me and  
7 ask questions. It would be easier to deal with the  
8 questions as they come. So that's fine.

9 Basic trainee classes. So --

10 BOARD MEMBER BAKER: Hey, Rod.

11 TECHNICAL SPECIALIST MUTCH: Yes.

12 BOARD MEMBER BAKER: This is Board Member  
13 Baker. I'll take the liberty of interrupting you to  
14 talk about COVID just for a second.

15 TECHNICAL SPECIALIST MUTCH: Okay.

16 BOARD MEMBER BAKER: I don't know if the  
17 Department tracks confirmed cases or Tier 1s or Tier 2s  
18 that were identified through contact tracing. But do  
19 you have any knowledge or do you have any record of  
20 having any confirmed cases within your inspection  
21 department?

22 TECHNICAL SPECIALIST MUTCH: When we have a  
23 confirmed case with an L&I employee everyone gets  
24 notified. They do not give us the names. I don't have  
25 confirmation of specific inspectors or even if there

1 have been inspectors that have -- that have been --  
2 tested positive. The individual supervisor would know  
3 that, possibly Wayne.

4 But I do know that -- I -- I think it's somewhere  
5 in the neighborhood of 20 L&I employees have -- at one  
6 point or another have tested positive. And so what  
7 they do is they evaluate where they were, who they  
8 contacted. They typically -- if they went into an  
9 office, they would go in and clean the office, notify  
10 all the employees in the office that there has been  
11 someone that tested positive. But then, you know, they  
12 don't give specifics about the individual person.

13 BOARD MEMBER BAKER: Yeah. That's  
14 appropriate. We do the same thing within our company.  
15 And we track -- I guess my line of questioning is, you  
16 know, twofold:

17 One, you know, has any inspector contracted  
18 COVID-19 through a job-site related situation?

19 And two, what's the Department doing to ensure  
20 that we don't end up with inspectors in a 10- to 20-day  
21 quarantine because they've been exposed and we lose  
22 half our inspection force because they've been exposed  
23 or directly through close contact with somebody that  
24 does have COVID?

25 TECHNICAL SPECIALIST MUTCH: Yes. It is

1 possible we've had inspectors that have tested  
2 positive. I do -- like I said, I don't know that for  
3 sure because they don't -- they don't give us the name  
4 or the position of the person that tested positive.

5 We do follow the guidelines for job sites, you  
6 know, PPE, distancing. What happens when we go on a  
7 job site and we evaluate if the inspector in any way  
8 feels at risk or, you know, if there's folks on the job  
9 site that are not complying with the guidelines for PPE  
10 and social distancing, they are instructed to -- if  
11 they feel a risk, they're instructed to not -- to delay  
12 the inspection. If they happen to see noncompliance on  
13 a job site but they feel safe doing the inspection  
14 themselves, they can go ahead and do that.

15 But we're not going to be the -- let's say, the  
16 police as far as policing a job site. We're not going  
17 to approach people and ask them to comply with the  
18 directives. We're there to do the electrical safety  
19 inspections.

20 So I can tell you that we do comply with all of  
21 the guidelines. We instruct the inspectors to be  
22 cautious and, if they feel they are at risk, to back  
23 off.

24 BOARD MEMBER BAKER: Yeah. That's good.

25 My inquiry is primarily based around the desire to

1 not lose an inspection force due to having to be  
2 quarantined because of unnecessary contact. And I'm  
3 glad you guys are taking those steps because we're  
4 already a little bit shorthanded with inspectors. The  
5 last thing we need is a series of them sitting home on  
6 quarantine. That would really impact our industry.

7 TECHNICAL SPECIALIST MUTCH: Yep. Agreed.  
8 Okay.

9 Is that all, Don?

10 BOARD MEMBER BAKER: Yeah. Thank you.

11 TECHNICAL SPECIALIST MUTCH: Okay. So again,  
12 basic trainee classes. When COVID-19 started, of  
13 course, the requirement is that to renew a training  
14 certificate you have to have 24 hours per year of  
15 in-classroom education. That put a cramp on the  
16 availability of the classes.

17 We -- the Department instituted an allowance  
18 for -- temporarily for virtual basic trainee classes.  
19 In other words, they could attend a class and get  
20 credit for the class through virtual means. And the  
21 guidelines were put in place.

22 It has to be, you know, direct contact between the  
23 trainee, the students and the instructor. They have to  
24 have -- they have to be able to see them and interact  
25 with them through a video-audio platform. Class size

1 is limited to 15 students. They have to verify who the  
2 person is through government-issued photo ID and allow  
3 the Department to do some oversight by sending us an  
4 invitation to the class.

5 That policy is going to be in place until we can  
6 safely resume in-class education. And that will be in  
7 consultation with the Board. Probably, I suspect, it  
8 would be when the State enters Phase 4 of the recovery.

9 Right now we have also a policy that, since  
10 trainees are having a hard time getting their classroom  
11 education and most of them wait until the last minute  
12 when they -- when they get ready to expire they start  
13 looking for classes to take, we have delayed the  
14 requirement -- well, extended the requirement to allow  
15 a trainee who is in inactive or expired status to  
16 continue working for 90 days past their expiration  
17 date.

18 So the new WAC rules, the 2020 WAC 296-46b takes  
19 effect today, October 29th. And with that is a rule  
20 that eliminated -- eliminates the allowance for  
21 trainees to pay their renewal fee and become inactive  
22 if they haven't completed their classes. So -- so the  
23 new rule is, if the trainee has not completed their  
24 in-class education, they cannot renew. So they will  
25 have to get their classes done before they can renew.

1           And so we've extended the period for renewal that  
2 they can work for 90 days past their expiration date.  
3 So -- and there'll probably -- there'll be more about  
4 that at the January meeting. We'll know more about the  
5 state of, you know, in-class education at that time.

6           CHAIRPERSON JENKINS: All right. Rod, was  
7 there anything else you need to cover?

8           TECHNICAL SPECIALIST MUTCH: Yeah. I've got  
9 several other things.

10          CHAIRPERSON JENKINS: Okay.

11          TECHNICAL SPECIALIST MUTCH: So you'll  
12 remember during the rulemaking we had a proposal to  
13 require property flippers to become -- to use licensed  
14 electrical contractors and certified electricians. We  
15 pulled that rule because it was determined that we  
16 didn't have statutory authority to require that based  
17 on the wording in the law.

18          So right now we are working with stakeholders and  
19 the Governor's office and collecting information and  
20 feedback on a legislative proposal that would require  
21 property flippers -- activities of property flipping to  
22 be done by electrical contractors and certified  
23 electricians. So again, at the January meeting we'll  
24 probably have more about that. If -- if that does  
25 become a reality, we will publish that in the

1 newsletter, if it actually becomes a bill.

2 This legislative session is going to be a little  
3 crazy. And there probably won't be anyone up on The  
4 Hill except -- certainly the public won't be able to be  
5 up there. Hearings will probably be done virtually.

6 And so we're kind of not -- we're not 100 percent  
7 sure that this proposal will go forward, but we're  
8 working on that. So that's an update on the  
9 house-flipper -- property-flipper proposal.

10 The reciprocal agreement that we signed with  
11 Oregon has been in place since about the middle of  
12 August. So far we've had about 175 applicants for  
13 reciprocal certificates from Oregon electricians. And  
14 we've approved about 100 of those.

15 Some of the reasons for -- now we're getting a lot  
16 of applicants that have not completed an  
17 apprenticeship. So the requirement is they either have  
18 to have completed a formal apprenticeship or they  
19 are -- if they are a supervising electrician in Oregon,  
20 we would approve them for the reciprocal agreement,  
21 which means they have completed the apprenticeship, or  
22 completed -- I believe it's 16,000 hours of work  
23 experience to become a supervising electrician and pass  
24 an exam.

25 Other reasons, we were getting some applicants

1           that have previously held Washington certificates but  
2           they're expired. So let's say in Oregon an electrician  
3           in the past had a Washington certificate, let it  
4           expire, and has passed the expiration date where they  
5           would have to take the exam. They're not eligible for  
6           a reciprocal agreement because they have -- they just  
7           have to go back and renew their previous Washington  
8           certificate by taking the exam. That's what the law  
9           requires for that.

10                 We did some -- if you're a subscriber to the  
11           listserv, we did some amendments to some 2020 NEC  
12           requirements. And because the -- we've been working on  
13           these for quite a while. We've received requests from  
14           contractors, stakeholders, questions about some of the  
15           requirements, and we went ahead and put that out on the  
16           listserv. There will be more information about those  
17           in the November Electrical Currents newsletter. But I  
18           just want to touch on those right now with the Board.

19                 One of the requirements 210.8(F) for outdoor  
20           outlets, this was the subject of a proposed tentative  
21           interim amendment with NFPA that was proposed, and it  
22           would require things like air conditioning, outdoor  
23           units, heat pumps, septic pumps, any outlet --  
24           electrical outlet outdoors would have to have GFCI  
25           protection.



1           And so there have been concerns about the  
2 standards that equipment is built to and the leakage  
3 current that is allowed by those standards. And there  
4 needs to be additional time for the testing  
5 laboratories and the manufacturers to manufacture  
6 equipment that will comply with Class A GFCI  
7 requirements which trips at 4 to 6 milliamps. So we  
8 have delayed that requirement until January 1, 2023,  
9 which is the same -- the same date that was in the  
10 tentative interim amendment proposal.

11           Another one is 210.8(A)(7). And we have delayed  
12 the implementation of GFCI requirements for 30- and  
13 50-amp receptacles within 6 feet of dwelling-unit sinks  
14 until January 1, 2023. This is also due to  
15 manufacturing product safety standards for this type of  
16 equipment that need to be updated. And the  
17 manufacturers need to get onboard with their equipment  
18 and make -- and get -- ensure that it's compatible with  
19 GFCI -- Class A GFCI protection.

20           This was also the subject of a TIA through NFPA.

21           By the way, both of those TIAs, the preliminary  
22 balloting on that indicates that they will not be  
23 approved. The one for outdoor outlets was very close.  
24 But it failed in the correlating-committee vote for --  
25 because the -- the voting members didn't feel that it

1 deserved an emergency -- justified emergency  
2 implementation.

3 By the way, I received -- I received an e-mail  
4 from NEMA, National Electrical Manufactures  
5 Association, and they are requesting that the  
6 Department reconsider both of these items and go ahead  
7 and adopt those requirements.

8 So we just got that this week. We'll be  
9 considering that. But for now, we have delayed the  
10 implementation of both of those.

11 BOARD MEMBER ISAACSON: Mr. Mutch, this is --  
12 this is Ivan, the manufacturers' seat.

13 TECHNICAL SPECIALIST MUTCH: Hi, Ivan.

14 BOARD MEMBER ISAACSON: Hey, question on  
15 210.8(A)(7). What types of appliances are we talking  
16 about there? It's my understanding that at 150 volts  
17 to ground we're not talking about range and driers.  
18 What types of products are you talking about on that.

19 TECHNICAL SPECIALIST MUTCH: We are talking  
20 about ranges and driers. So it would be 250-volt  
21 receptacles, 30- and 50-amp receptacles. So 150 volts  
22 to ground would include a two -- 250-volt receptacle  
23 for a range.

24 So, you know, as written the NEC requirement would  
25 require GFCI protection for a range -- an electric

1 range that's within 6 feet of a sink or an electric  
2 drier that's within 6 feet of a laundry sink.

3 BOARD MEMBER ISAACSON: Fantastic. Thank  
4 you. I'm getting a lot of questions about that right  
5 now.

6 TECHNICAL SPECIALIST MUTCH: Okay. That's  
7 all we have excepted, the 30- and 50-amp receptacles.  
8 So the rest of the receptacles, 120-volt receptacles in  
9 a kitchen or within 6 feet of a sink are still required  
10 to have GFCI protection. So this concerns the larger  
11 pieces of equipment and some indication that the  
12 product safety standards and the manufactures need to  
13 work together to get their equipment compatible with  
14 GFCI protection.

15 BOARD MEMBER ISAACSON: It would be great if  
16 they would have done that with arc faults. We're  
17 having a lot of nuisance dripping with arc faults on GE  
18 refrigerators and range hoods, as well, right now. So  
19 it's a good step in -- on your guys' part to make that  
20 happen.

21 TECHNICAL SPECIALIST MUTCH: Okay. Thank  
22 you.

23 BOARD MEMBER BAKER: Rod, what was the code  
24 reference for the first one you talked about?

25 TECHNICAL SPECIALIST MUTCH: The outdoor

1 outlets GFCI protection is 210.8(F).

2 BOARD MEMBER BAKER: Gotcha. Thank you.

3 TECHNICAL SPECIALIST MUTCH: So 230.71,  
4 maximum number of disconnects. If you've read the  
5 Electrical Currents newsletter, we have delayed the  
6 implementation of this for power outlets listed under  
7 UL231. So the temporary construction services that you  
8 purchase that have the receptacles built in and they  
9 have breakers and receptacles in a listed enclosure,  
10 those are listed to UL231. For example, mobile-home  
11 pedestals, marina power outlets, those would all be in  
12 violation of 230.71 if they had more than one  
13 disconnect, if they're used as service equipment.

14 What the result would be is contractors would have  
15 to take a power outlet that was purchased when it was  
16 legal -- and they use these things for a few years --  
17 and they would have to replace them with compliant  
18 power outlets. So we're delaying the implementation of  
19 230.71 for power outlets and also metering centers.

20 So let's say a combination service with  
21 two 200-amp breakers to feed, you know, mobile home and  
22 an outbuilding. Those -- those two 200-amp breakers in  
23 the same enclosure would violate 230.71.

24 We have been in contact with some manufactures,  
25 Milbank, for example, and they indicate that they would

1 be able to get their equipment in compliance shortly  
2 after the first of the year.

3 So we have -- we have delayed the 230.71  
4 requirement for metering centers until July 1, 2021.  
5 So next July that will kick in for metering centers.

6 There have been some questions about 230.85,  
7 emergency disconnects for one- and two-family  
8 dwellings. We are implementing that for all new  
9 buildings. New one- and two-family dwellings will have  
10 to have a readily accessible emergency disconnect on  
11 the outside of the building.

12 Questions that have come up is: How do we deal  
13 with existing buildings where they are doing an altered  
14 service? And so for those altered services where they  
15 are relocating part of the service, so if they're  
16 relocating the service disconnect or the meter or the  
17 overhead service masts or the underground service  
18 riser, we will require the emergency disconnect to be  
19 installed.

20 If a meter gets damaged and they remove the meter  
21 and replace it in the same location, we will not  
22 require the emergency disconnect to be installed. Same  
23 thing with an electrical panel. If they have an old  
24 electrical panel and they are replacing it in the same  
25 location, that is not going to trigger the installation

1 of the emergency disconnect.

2 So to do that would require a lot of rework with  
3 the conduit. You'd have to -- you'd have to come out  
4 of the panel location, go outside with the service  
5 conductors or reroute something to get to that. And we  
6 are clarifying that that -- they won't have to do that.

7 But for all new buildings, one- and two-family  
8 dwellings, the emergency-disconnect rules will apply.

9 So those are -- that's a summary of the amendments  
10 that we're making to those requirements. And that is  
11 about all I have. So if there's any question, I'd be  
12 happy to answer those. Otherwise, that's -- that's it,  
13 Jason.

14 CHAIRPERSON JENKINS: Quick question on the  
15 service-change deal.

16 So when you say "relocating," is it giving a  
17 certain distance, like one stud bay? Or are we talking  
18 about it has to stay act same location type thing?

19 TECHNICAL SPECIALIST MUTCH: So let's say --  
20 let's say a service -- a tree falls on a service, pulls  
21 down the mast and damages the meter base. They can put  
22 it back in the same location.

23 We didn't indicate a specific distance. By  
24 relocating, you know, that -- that to me would be, you  
25 know, they're doing an addition, so they're moving the

1 service mast and the panel around to the other side of  
2 the house or, you know, whatever. So what would  
3 trigger it is if it's not put back in the same  
4 location.

5 So it -- we thought that would be reasonable if  
6 it's -- if it's moved, it -- they would have the  
7 opportunity to install the emergency disconnect in that  
8 new location.

9 CHAIRPERSON JENKINS: Okay. Thank you. I  
10 was just kind of thinking about there's a couple times  
11 where I've installed a panel and we've had to move it  
12 over just a little bit because of the sizing or stud  
13 bays and that that would invoke that requirement or  
14 not.

15 And so it's probably going to be based on the  
16 inspector comes out to make that kind of a call.

17 TECHNICAL SPECIALIST MUTCH: Yeah. And  
18 again, the -- the intent is to not -- to not make the  
19 requirement something where we have to come out of an  
20 existing location, go to a new location, and come back  
21 to the same existing location to put the emergency  
22 disconnect in.

23 So think about the meter base and the nipple  
24 between the meter base and the panel. Now you -- to  
25 put an emergency disconnect in you'd have to come out

1 of that and go to the emergency disconnect and then  
2 back to the panel location. And you got the meter base  
3 in the way.

4 And so -- so that was the intent.

5 CHAIRPERSON JENKINS: Okay. That's makes  
6 sense. Thank you.

7 Any more questions for Rod Mutch today?

8 Okay. Thank you very much for your time. I  
9 appreciate you having that information.

10 TECHNICAL SPECIALIST MUTCH: You're welcome.

11 CHAIRPERSON JENKINS: So I guess we're on to  
12 agenda Item No. 5, which is the Petition for  
13 Rulemaking, WAC 296-46B-940.

14 And I'm assuming that's -- the Department has  
15 someone to cover that.

16 TECHNICAL SPECIALIST MUTCH: Yeah. I should  
17 have stayed -- I should have just stayed on. So --

18 MR. JENKINS: Okay. There you are. Welcome  
19 back, Rod.

20 TECHNICAL SPECIALIST MUTCH: So WAC  
21 296-46B-940 is the section that talks about electrician  
22 certification requirements and how to become a  
23 certified electrician. And in that section is the  
24 rules regarding reciprocal agreements.

25 In working with Oregon toward their reciprocal



1 agreement we discovered that there were some  
2 inconsistencies between the two states, and we adopted  
3 emergency rules for that issue. And so when we did  
4 that, we --

5 An emergency rule is good for 120 days. And so we  
6 have -- at the same time we instituted permanent  
7 rulemaking process for those rules. There -- and so  
8 that's underway. There's a hearing, a public hearing  
9 by telephone, November 10th. And the information for  
10 that public hearing is on our electrical laws and rules  
11 web page. It will also be published in the November  
12 Electrical Currents newsletter.

13 And so we're scheduled to adopt those amended  
14 rules the middle of this month. And they'll be  
15 effective the middle of December. So the rules that  
16 allowed us to sign a reciprocal agreement with Oregon  
17 will be permanently adopted in the WAC rules through  
18 that process.

19 CHAIRPERSON JENKINS: Pretty quick. I'm glad  
20 to see that. So December is the guesstimated time for  
21 it to become effective, then?

22 TECHNICAL SPECIALIST MUTCH: Yep.

23 CHAIRPERSON JENKINS: Well, good deal. And  
24 then I'm assuming you're going to be covering the next  
25 rulemaking update for 995. Or . . .

1                   TECHNICAL SPECIALIST MUTCH: Yeah. I can do  
2 that, as well.

3                   CHAIRPERSON JENKINS: Perfect.

4                   TECHNICAL SPECIALIST MUTCH: So WAC  
5 296-46B-995 is the rules regarding the Electrical Board  
6 and appeal process. So Pam and Tracy -- Pam, the AAG  
7 for the Electrical Board, and Tracy Prezeau, have been  
8 working on this, as well as a couple other board  
9 members, for quite some time. And they have proposed  
10 some changes to this section to clarify and to organize  
11 that section so that someone making an appeal can find  
12 out the process and use that process more easily.

13                  It's also things that have been noticed by -- by  
14 the Board that are -- need to be -- and the Department  
15 that need to be updated and clarified.

16                  And so what happened is they proposed some  
17 language, submitted it through the Department through a  
18 petition for rulemaking. We received that petition.  
19 We accepted it. And we will begin the permanent  
20 rulemaking process.

21                  It's kind of a long process, of course. You're  
22 familiar with the rulemaking process. We anticipate  
23 filing a CR-101, which is the notice of intent to  
24 perform rulemaking, around the 1st of December.  
25 There's quite a bit of work that's involved around that

1 paperwork and finalizing the documents, and there's  
2 specific filing dates that you have to make.

3 And so if all goes smoothly, those rules will be  
4 effective about June of next year. They'll be adopted  
5 in May and effective in June.

6 So there's public hearing process. We don't  
7 anticipate any problems with this. There -- it's not  
8 that -- it's not controversial. It's a matter of  
9 clarifying the rules and making them more  
10 user-friendly.

11 So that's -- that's the status of that. So it's  
12 underway. And like I said, probably in June of next  
13 year we'll have those rules adopted.

14 CHAIRPERSON JENKINS: Thank you very much.

15 Curious if Tracy or Pam will need -- like to step  
16 in and say anything about that. But I will say that  
17 I'm really happy with what they've done, and I'm hoping  
18 this will move smoothly through the process.

19 BOARD MEMBER PREZEAU: I would just say thank  
20 you. I'm glad to hear that it's going forward.

21 AAG THOMURE: I will echo those comments.  
22 That's great news.

23 TECHNICAL SPECIALIST MUTCH: And we'll be  
24 talking with both of you guys as we finalize the  
25 language just to -- just to make sure that we're

1 getting it correct. So . . .

2 AAG THOMURE: Sounds good.

3 CHAIRPERSON JENKINS: Thank you very much,  
4 Rod.

5 Any more questions for Rod Mutch?

6 Well, thank you once again for your update. So  
7 appreciate that.

8 TECHNICAL SPECIALIST MUTCH: So you're  
9 welcome.

10 CHAIRPERSON JENKINS: So we're moving on to  
11 Agenda No. 7 for the secretary's report with Wayne  
12 Molesworth today. Are you ready to talk there, Wayne?

13 SECRETARY MOLESWORTH: I sure am.

14 Good morning, Mr. Chairman. Good morning, board  
15 members. My name is Wayne Molesworth. I'm the chief  
16 electrical inspector for the State of Washington, and I  
17 will be presenting the secretary's report today.

18 So first off, let's talk about the budgets. The  
19 electrical fund balance on September 30 was  
20 \$9,694,951 [sic]. This is about four times the average  
21 monthly operating expenditures.

22 The average monthly operating expenditures for the  
23 first three months of the fiscal year, which is July  
24 2020 through September, were \$2,366,139 compared to  
25 \$2,238,165 for the same period last year, which is an

1 increase of about 6 percent.

2 The average monthly revenue for July through  
3 September was \$2,355,707 [sic]. And that's compared to  
4 \$2,393,749 for the same period last year which is  
5 actually a decrease of 2 percent.

6 We continue to see the budget drop a little bit.  
7 And we're looking forward and taking measures and  
8 having discussions with not only internal but external  
9 and regional people that work inside of our program to  
10 find different ways to mitigate the decline of the  
11 budget and make sure that we can maintain a healthy  
12 budget going forward.

13 Customer service, we had -- 45,248 permits were  
14 sold last quarter. 99 percent, or 44,988, were  
15 proposed online -- or processed -- I'm sorry -- online,  
16 which is consistent with last quarter. 100 percent of  
17 the contractor permits were sold online, which is  
18 consistent with the previous quarter. And homeowners  
19 online sales for this quarter were 97 percent, which is  
20 a 1 percent decrease from the previous quarter.

21 Online inspection requests is 83 percent, which is  
22 4 percent increase from last quarter. During this  
23 quarter customers made 93 percent of all electrical  
24 license renewals online, which is a 1 percent increase  
25 from last quarter.

1           So these numbers continue in most cases to rise  
2           and people taking advantage of the electronic versions  
3           of how to purchase and request inspections, which is  
4           reducing the amount of on-site staff we need to  
5           actually help our customers. And so that may also help  
6           us in our budget concerns.

7           So now down to performance measures, key  
8           performance measures. This month -- the percent of  
9           inspections performed within 24 hours of a request, the  
10          goal was 86 percent. In '19 we had 79 percent, and  
11          this last quarter of 2020 we had 77 percent, down just  
12          slightly. The downward trend in most of these numbers,  
13          you'll notice, are probably from the -- the lack of  
14          inspections, lack of inspectors, the high-risk  
15          inspectors, and just the additional measures we're  
16          taking to make sure our staff are safe.

17          Percent of inspections performed within 48 hours  
18          of request, last year it was 91 percent. And this year  
19          it is 89 percent.

20          Number of virtual electrical inspections, VEI,  
21          performed, this is an interesting number. We had 455  
22          back in 2019 and 2,423 this same period.

23          And it's important to note that this is something  
24          that -- we're really striving to grow this program  
25          because of its effectiveness and because of the number

1 of inspections we can do without actually billing any  
2 mileage or having our inspectors out there at risk. It  
3 really helps the regions to be able to reduce their  
4 workload and allows us to get to things much quicker  
5 for those people that are on the site that want to get  
6 an inspection done before they actually leave the site.  
7 So very, very excited about this.

8 I do want to mention one thing here. We had --  
9 our supervisor for plan review, which we'll get to in a  
10 second, is doing a great job of implementing the  
11 electronic plan review. And we really want to stress  
12 that we want our customers to look into that instead of  
13 the mail version of submitting plans because it makes  
14 it so much faster for the customer and it makes it so  
15 much more efficient for our staff.

16 But he recognized that, by implementing this  
17 system, and with the results he's had in the last three  
18 months, that he might not need five plan reviewers. So  
19 he offered up one of his plan reviewers to become a VEI  
20 member. And so we're actually cross-training that  
21 inspector with plan review and with VEI at this point  
22 when he's hired. Right? Or one of the staff will be  
23 cross-trained. So if plan review does run into  
24 trouble, they can ask for help.

25 So just showing that internally our staff are

1 working together as a program, looking how we can much  
2 better serve our customer from every aspect.

3 The next one is number of focused citations and  
4 warnings - contractor licensing, working certification,  
5 no permit, failing to supervise trainees. Anticipated  
6 number is 1,034. In 2019 in the field there were 428.  
7 ECOPE and Audit did 562 for grand total of 990. And  
8 this year they did 439 in the field, ECOPE/Audit were  
9 679, and the total was 1,118, pretty good numbers  
10 considering that we have backed off on our compliance a  
11 little bit during the COVID because of different  
12 situations. But we're, as of November 1st, allowing  
13 our ECOPE unit to go back and act as they have in the  
14 past. And we'll be back doing normal compliance  
15 activities.

16 Inspection stops per inspector per day, 11.8 last  
17 year and 11.3 the same period this year, down just a  
18 little. But again, we have to consider that what we're  
19 dealing with with COVID and some of the things take a  
20 little bit longer for us to prepare in the mornings,  
21 make access calls. And so it's having a slight effect  
22 on the number per day.

23 Serious electrical corrections that would result  
24 in disconnection, we had 11,984 in '19 and 10,442 this  
25 time frame in 2020.



1           Turnaround time for average plan set reviewed. So  
2           with plan review, when they're implementing this  
3           electronic system -- you can see that last year it was  
4           2.4 weeks, which was excellent. This quarter it shows  
5           3.1 weeks for turnaround. And I want to add a couple  
6           of numbers to this for you for perspective.

7           But in July the number was 4.3. And considering  
8           that we had several vacancies during this period of  
9           time -- and we've been filling those vacancies and  
10          training new inspectors to do plan review in the last  
11          quarter. And so we went from 4.3 in July to 3.5 in  
12          August.

13          And then in September we went to 1.4 weeks for  
14          turnaround. And we're actually -- I talked with the  
15          plan review supervisor today, and he's at approximately  
16          ten days over this last couple of weeks. And so their  
17          backlog has dropped immensely. They're one and a half  
18          to maybe two weeks out. But they've done a great job  
19          of pulling back from how far we were behind during the  
20          beginning of COVID and really doing a great job of  
21          implementing that electronic plan review system.

22          Pages reviewed electronically, we have -- they  
23          used to be in '19 1,076 and 1,428. And in FY 2020 we  
24          received 1,245, and we actually processed 1,249, which  
25          means we had some others that were left over there.

1 I should stop here and ask if there's any  
2 questions at this point.

3 BOARD MEMBER GRAY: Yeah. Wayne, this is  
4 Bobby Gray. I have just one quick question, and it's  
5 regarding the inspection stops.

6 The number of virtual inspections increased like  
7 600 percent or something over last year. And yet the  
8 average inspections went down. I mean, it's -- it just  
9 seems logically that those are much more efficient and  
10 you would be expecting to see more production.

11 Are you -- do you think that the COVID impacts are  
12 offsetting any kind of efficiencies you would have  
13 gained through that program?

14 SECRETARY MOLESWORTH: Are you talking about  
15 the field inspectors going down? Is it affecting them?

16 BOARD MEMBER GRAY: Oh. So you're -- so the  
17 11.3 does not include the virtual inspections; is that  
18 right?

19 SECRETARY MOLESWORTH: Yeah, that's right.  
20 That's field inspections.

21 BOARD MEMBER GRAY: I misunderstood that.  
22 All right. Well, that makes more sense, then.

23 SECRETARY MOLESWORTH: And just to answer  
24 that a little bit is that I do think that the down to  
25 .3, 11.3 is caused by the COVID effects and some of the

1 measures we have in place to ensure the safety of our  
2 inspectors. I think that it's taking a little bit  
3 longer.

4 We are putting together and working with  
5 supervisors to create some training on efficiencies and  
6 working with staff. My goal is to actually have  
7 supervisors out in the field riding with staff.  
8 Because we have such a new staff out there, the  
9 percentage of new inspectors is so high, it's very  
10 important that the supervisors get out and ride with  
11 them. And that might be affecting this, as well, is  
12 that the newer guys are, you know, being more cautious,  
13 taking a look at everything a little bit more closely.  
14 And they're not completely comfortable with the  
15 inspection process yet. So that can also be a factor  
16 across the state.

17 So I want to talk a little bit here about  
18 licensing. Currently licensing has two vacant  
19 positions. They have a CSS 2 and a CSS 3 position,  
20 which may or may not mean much. But we are in the  
21 process of offering a position for the CSS 2 to an  
22 individual that we did the second interview for this  
23 last week. And at the current time we're holding the  
24 CSS 3 as part of a countermeasure to the budget  
25 decline.

1           And we are going to be posting the recruitment for  
2           the licensing supervisor, which has been vacant for  
3           quite a while now, this next week.

4           And so just to let you know that we'll fill those.  
5           We've been given permission to fill those. They have  
6           not been looked at as part of the hiring freeze, so to  
7           speak. And so we're keeping them intact and moving  
8           forward to hire them.

9           We're taking steps to improve the flow of  
10          documents utilized in IDM. IDM is the place where we  
11          store documents through pictures, so to speak. We  
12          image them, and then we keep them in files in IDM. And  
13          we've come to create new processes for that because of  
14          this teleworking situation where we figured out how to  
15          do it better and what we need to do. Those processes  
16          are being built right now to make it more efficient so  
17          our staff isn't having to go into the office quite so  
18          often and they're able to process a higher number of  
19          documents every day.

20          The group has also so far value streamed 24  
21          different process flows to streamline the work and  
22          reduce the waste in the licensing division.

23          And I want to pause here to let you know that we  
24          had a little bit of a problem in licensing where we  
25          think that there's been some incorrect reporting in the

1 last few months. And when we discovered that we  
2 discovered, there was a lot of processes that needed to  
3 be looked at and processes that would have -- showed  
4 that we had staff that were doing well and also things  
5 to measure where staff were not doing so well.

6 I can say right now that I'm not sure exactly what  
7 the time frame is as far as how many documents are  
8 being processed within the goal. But I will tell you  
9 that I am really confident that it's not 90 percent.  
10 We should have more on that soon. And definitely by  
11 the -- by the next board meeting we'll have that  
12 squared away.

13 We put some auditors from ECORE, Faith Jeffries  
14 and four of her staff, in with the licensing group  
15 because they do work closely together, and they helped  
16 identify the gaps in their processes and where some of  
17 this misreporting may have been coming from. And  
18 they're in the process of doing value-stream mapping  
19 with the individual processes, and then they're going  
20 to build those processes so that we have a training  
21 tool for new staff to come in and use, as well.

22 So hopefully when this is all done we'll have a  
23 good means of identifying when we do have a problem and  
24 being able to fix it quicker. So I just wanted to make  
25 you aware of that.

1           We have no new testing labs to report.

2           And there was a few questions from last time. We  
3 talked a little bit about inspector compensation  
4 contrast, the State versus municipalities. We do know  
5 that we are kind of low on that scale, that  
6 municipalities usually do pay their staff a little bit  
7 more. We have run into a little bit of roadblock with  
8 that with the budget situation statewide.

9           And the Governor's mandates is that nobody in  
10 government will probably be able to present a  
11 class-and-comp package in the next couple of years.  
12 But that does give us some time to develop a really  
13 good class-and-comp package so that we can be  
14 successful when that opens up again to actually get  
15 some increase for our staff.

16           It's hard to compare the two in the process  
17 because a municipality has many -- much fewer rules  
18 around how that can happen, and they're able to pass  
19 those very easily. Whereas, state government, we have  
20 some more intense regulations wrapped around how we can  
21 give state workers raises.

22           Emergency rulemaking for reciprocity and flipping,  
23 I think Rod covered those very well. Thank you, Rod.  
24 I think that was an excellent job in doing that.

25           And then I just talked a little bit about the

1 number of electrical plans reviewed and turnaround  
2 time.

3 So are there any questions?

4 BOARD MEMBER BAKER: Yes. This is Board  
5 Member Baker.

6 I want to go back to your compensation packages  
7 for our electrical inspectors. I thought what I heard  
8 you say is you're not going to be able to submit a  
9 compensation for the next couple years. And I'm  
10 wondering, does that mean that there's no -- how's the  
11 system set up now? Are inspectors going to receive  
12 cost-of-living increases during that time, or is their  
13 wages frozen?

14 SECRETARY MOLESWORTH: So they just received  
15 a 3 percent increase this last year. And -- and the  
16 Governor stood fast on that, went ahead and issued that  
17 for all represented employees.

18 However, nonrepresented employees, let's say  
19 management because, even if you weren't represented for  
20 some reason as an inspector, you still got the raise,  
21 but not represented or management staff did not receive  
22 the 3 percent.

23 And so -- so yes. I think that we can see that  
24 that could still happen, and things that are in place  
25 before this, got every confidence the Governor will

1 move forward.

2 Now, recently they have found money in their  
3 budget, and it reduced the amount of debt that they  
4 had, it appears. But they haven't come up with if  
5 they're going to open up that class-and-comp system  
6 again or when that might happen.

7 But that's very possible that, you know, in a  
8 couple -- in, let's say, six months they see that  
9 they've made a recovery with their budget and they're  
10 looking at this and saying, you know, "I think we can  
11 move forward with class-and-comp packages," they can  
12 easily reopen it. So the two years is not written in  
13 stone, let's say.

14 BOARD MEMBER BAKER: Yeah. Jason, I would  
15 respectfully request that this be a listed agenda item  
16 for every E board meeting, a standalone agenda item  
17 that we discuss.

18 And, Wayne, I -- if you could talk a little bit to  
19 what your situation is with retention and recruitment  
20 and how many holes are you trying to fill and how  
21 you've done in the last quarter filling those holes.

22 SECRETARY MOLESWORTH: Sure. So, of course,  
23 we have our areas that are very hard to recruit for.  
24 Region 5 being one of those, Region 6 being one of  
25 those. We have found inspectors -- or we have found



1 candidates in Region 3, which is the Tacoma area,  
2 Region 2, and we've been successful in filling those  
3 positions. And I don't think we're having a real hard  
4 time filling positions right now.

5 But what we're concentrating on is developing --  
6 we're going to be working on this very soon. We're  
7 going to be developing a process by which we can  
8 increase recruitment efforts and increase our  
9 percentage of the number of people we will recruit  
10 because recruitment and hiring are 230 things. Right?

11 First of all, we need to get the people to  
12 understand benefits of coming to work for the State and  
13 want to come to work for the State. And we need to get  
14 the word out there to them and identify those people  
15 and ask them to come to work for the State of  
16 Washington. Right? Ask them to apply.

17 I'm really pushing towards not just relying on our  
18 HR Department to put things out there and just put  
19 something on a website to say, you know, this job  
20 posting is open.

21 We've got to -- we just developed a new flyer that  
22 includes all of our benefit package broken down. And  
23 we're going to be distributing that to our staff and  
24 giving them training on how to go out and recruit some  
25 of the people that they think would be very good

1 inspectors.

2 As a matter of fact, the person we just hired in  
3 Region 2 was somebody that the supervisor had actually  
4 spoken to and recruited.

5 And so a lot of times people just want to be  
6 asked. Right? And they don't know that they might  
7 qualify.

8 You know, that's how I came into this job, you  
9 know, 29 years ago, is that I had an inspector in Moses  
10 Lake come up to me and ask me one day in a conversation  
11 had I ever thought about becoming an inspector and  
12 said, "Spokane has got some temp jobs open. You ought  
13 to apply." And I did, and the rest is kind of history.  
14 Right?

15 So those are the opportunities I think we need to  
16 take advantage of in those relationships we build with  
17 our customers out there to get them to come to us.  
18 What that means for the contractors is hopefully we  
19 can -- you know, we may be taking some of their better  
20 people away, we hope, because we think that would also  
21 benefit contractors in the fact that you have good,  
22 educated, knowledgeable electricians out there doing  
23 inspections. And really that's what we want. Right?  
24 And so we're trying to move down that road.

25 Region 5 always struggles a little bit. So we've

1 had a little problem there recruiting. But I think  
2 that that may change with some of this.

3 I also want you to know that because of our budget  
4 situation. And we're trying to look far enough ahead.  
5 Right? We had this same situation happen to us in '08,  
6 '09 where it didn't turn out real well. And then we  
7 were asked, "Could you see this coming?" and we said  
8 yes. And then the next question was, "Why didn't you  
9 do something?"

10 And so our intent during this is to look at  
11 history, identify the trend that we're in, which -- it  
12 actually is mirroring that time period. And even  
13 though it may not happen, we want to prepare and try to  
14 mitigate the decline in the budget and make sure that  
15 we have a healthy budget going forward until we fully  
16 recover from this so that we don't have to lay those  
17 people off.

18 With that in mind, the RAs, the regional  
19 supervisors, myself, and the leadership team I report  
20 to have done a great job of collaborating with each  
21 other and agreeing to hold certain vacancies. And you  
22 may not need all those, but that's very hard to do  
23 because, you know, most of the time people want the  
24 people hired so they can, you know, exceed their goals  
25 or be closer to their goals.

1           And so it's taken a lot of energy for all of them  
2           to collaboratively work towards this. And it looks  
3           like we'll be holding about 11 positions through the  
4           winter. And they're still in -- most regions are still  
5           in the 90 percent and above for over 48 hours. And so  
6           I think that's good. It's not maybe 100 percent. But  
7           again, we all know that 100 percent may not be  
8           attainable primarily because we don't go to certain  
9           areas more than once a week and because it's not  
10          practical, such as the islands, for example. And we've  
11          been using VEI on the islands quite a bit so we can  
12          make up for those quicker for certain types of  
13          inspections.

14                 So I can really ramble on.

15                 So does that answer -- does that answer that  
16          question?

17                         BOARD MEMBER BAKER: Yeah, a little bit. I  
18          certainly appreciate your approach.

19                 And did I hear you correctly? You said holding 11  
20          positions? Is that how many open positions you  
21          currently have?

22                         SECRETARY MOLESWORTH: So we may have --  
23          but -- we have more than that vacant right now. But  
24          we're going to allow Region 6 to hire another one --

25                 Well, we're still in talks. Right? So what I'm

1           telling you is that these are conversations that we're  
2           having right now -- is that it looks like Region 2 has  
3           three vacancies and still in the 90 percent. So  
4           they've agreed to transfer an FTE to Region 6. If we  
5           decide that that's the proper thing to do, Region 6  
6           will hire that.

7           Region 5 recently lost two inspectors that came to  
8           work for us in VEI, and so they're going to go ahead  
9           and hire those two and their lead inspector and holding  
10          a PS2 position and one other inspector position for  
11          their contribution to the effort.

12          And so we do have other vacancies, except for the  
13          11. The 11 is what we've decided that we can keep and  
14          still have a pretty good response time for customers  
15          and keep it moving.

16          And all the time my comment to people are that if  
17          we get in a situation where things drop and we can show  
18          it through data why, let's reopen those conversations.  
19          Maybe we do need to hire a position in a certain area.  
20          So it's not just that we're going to hold them until  
21          June for 11. But at the present time, that's what  
22          we're looking at doing.

23                        BOARD MEMBER BAKER: I appreciate that. Last  
24                        thing, and I'll let you go.

25           As contractors, we're seeing a lot of

1 opportunities and a lot of chatter on the east side.  
2 And it's going to be growth over the next five to ten  
3 years, significant growth. I'm wondering if the  
4 Department's watching that and if you've got plans to  
5 put together a more robust team over there.

6 SECRETARY MOLESWORTH: Well, now, that's  
7 something that maybe -- maybe we should get together  
8 and talk about, you know, with a group of people.

9 One of the -- one of the goals I also have is to  
10 make sure that we're more customer-centric. And Rod  
11 may be able to answer this better. I have not heard  
12 that or been looking at that. But they do look at  
13 other things and other projections than what I do, and  
14 they keep me informed.

15 But I think it would be a good idea to get some  
16 key staff knowing that, some key players over there or  
17 over here on the east side -- I'm on the east side.  
18 I'm sitting in Spokane -- to actually talk about that  
19 and let the Department know what they're seeing and  
20 what they're projecting 'cause, absolutely, we need to  
21 be proactive in building these teams because, like I  
22 said just recently, you know, putting a brand-new  
23 inspector in an office right now will do nothing for  
24 that office but create a training effort and take some  
25 time away from other people to train the new inspector.

1           We need to make sure that we are ahead of that  
2           goal so when it really hits we've got those people  
3           trained up. We've got them hired. We've got them in  
4           the right places.

5           So thank you for bringing that up, definitely. So  
6           we should think about that. Maybe I'll give you a  
7           call. And anyone else on the line that wants to talk  
8           about that, I think it would be a good conversation to  
9           have.

10                   BOARD MEMBER BAKER: Thanks, Wayne.

11                   SECRETARY MOLESWORTH: You bet.

12                   BOARD MEMBER GRAY: Chief, this is Bobby  
13           Gray.

14           Is there anything from preventing you from using  
15           some of that \$10 million surplus in the fund to go  
16           after a more aggressive recruitment effort maybe using  
17           some sort of a recruitment third party that would go  
18           out and search the country to see if there aren't  
19           qualified people perhaps working for another state that  
20           has the qualifications and maybe we could offer maybe  
21           some better opportunities for that? Is there -- are  
22           those funds dedicated someplace where we could not use  
23           it for that purpose?

24                   SECRETARY MOLESWORTH: You know, I don't  
25           think so. I've often asked -- as a matter of fact, I

1 asked in a couple of different divisions I've worked  
2 for why we weren't doing little headhunting. Right?  
3 Let's go out and let's find these people and let them  
4 know we've got a position and that we're interested in  
5 them.

6 You know, I've -- I've had a lot of training in  
7 how to develop staff. One of those is -- talent early  
8 and often and giving them the opportunities to grow.  
9 And the same thing goes with people that are outside of  
10 the organization, recognizing them, letting them know  
11 what you think of the work that you've seen them do,  
12 and asking them to come to work for you 'cause a lot of  
13 people might, but they're not even aware that we've got  
14 something going on. They're not looking into  
15 publications we put our ads in.

16 So I don't think there's any limitations for  
17 spending the money that way. I'm going to be really  
18 cautious right now. But I can do a lot of research  
19 without spending any money. And so that's a good point  
20 and something that -- I know that we've got some  
21 leadership online right now that -- I'll need to talk  
22 with them. And we -- I think it would be a good  
23 opportunity for us to go down that line. And if you  
24 get anybody in mind, let me know.

25 BOARD MEMBER BAKER: For what it's worth --



1 and I appreciate Tracy being online 'cause I want to  
2 take her. I came on the Board, you know, quite a while  
3 ago. And it seems to me one of the conversations we  
4 had about that fund was the idea would be that -- and  
5 to see where you can correct me, Tracy -- was that we'd  
6 have six months' operating expense sitting in that  
7 fund. I don't know where those funds are dedicated for  
8 and how it would be used. But I do recall having a  
9 conversation about that being the target.

10 Tracy, you have any comments on that?

11 BOARD MEMBER PREZEAU: Yeah, sure.

12 So I don't think there is -- I agree with the  
13 chief; I don't think there is a prohibition of using  
14 those funds to meet Bobby's suggested idea, right, of  
15 having a more aggressive outreach, especially outside  
16 of the state boundaries.

17 I know that we've also looked into potentially use  
18 the surplus to address the disparities between  
19 compensation for state inspectors versus municipal  
20 inspectors and have pretty much run into dead ends  
21 talking with Director Sacks, right, that there's --  
22 there's --

23 At this time we do not know of any other creative  
24 ideas that are legal to use the surplus monies to  
25 somehow increase inspector compensation. But that's

1 sort of the update as it stands to your point, Don.

2 I did want to just weigh in briefly in applauding  
3 the chief in that -- the look backwards. Several of  
4 the Board members will probably recall now-retired  
5 inspector -- it's -- his first name is Bob, but I can't  
6 think of his last name, the graph guy. You guys  
7 remember him talking --

8 Rod will probably -- Rod and Larry probably  
9 remember his name certainly. But --

10 And I do remember his report after we, I think,  
11 clawed our way out of the 2008, 2019 recession. Right?  
12 Indicated that in hindsight may be could have softened  
13 the blow of the number of laid-off inspectors.

14 So I'm incredibly happy to hear Chief Molesworth,  
15 you know, reference that they're looking at those  
16 numbers and using that data to make sure that we  
17 don't -- the Department doesn't make similar missteps  
18 possibly that were made, again, with the benefit of  
19 hindsight and data. So really happy to hear that,  
20 Wayne. So thank you for that.

21 SECRETARY MOLESWORTH: Well, thank you,  
22 Tracy.

23 We have a projection table that we use when we  
24 look at the last 12 months of data to project where  
25 we're going to be at going forward. And on the top of

1           that it actually has working capital 24 -- or  
2           \$2,400,000 times three months in operating expenses.  
3           And that reminds us that that red line that goes  
4           through our graph is where we need to stay before we  
5           have to take additional measures. Right? And so our  
6           goal is to always be above that line.

7           That line reflects April's downturn when we closed  
8           the nation. And we lost over \$2 million. That's in  
9           that projection. So as Rod points out to me on a  
10          regular basis -- thank you Rod I appreciate it -- that  
11          we need to take that out of our projection and see what  
12          it would do otherwise.

13          And we're in the process right now of having talks  
14          with our budget analyst and talking about what would  
15          happen if we kept the 11 vacancies. Let's take April  
16          out of the picture. What does this look like so that  
17          we can ensure we stay above that?

18          The projections right now moving forward is that  
19          we will be right at the line in June. And my objective  
20          is to be above that line in June and to start  
21          recovering that budget. Doesn't mean we're going to  
22          sell more permits. Doesn't mean we're going to do more  
23          inspections. What it means is that the revenue and the  
24          expenditures will be adjusted to the point where we can  
25          start to build that up.

1           If we look France right now, they just closed down  
2           again. Things could happen for us just like that. And  
3           we have to be careful because, if we have another  
4           April, you're looking at -- in June you're going to be  
5           looking at about \$5 million if we have another April.  
6           And we just can't allow that to happen. So --

7           And Bobby, what prevents us from spending more  
8           money is our allotment. We have to stay within our  
9           allotment, and otherwise, we have to submit a budget  
10          package to add to our allotment monies that we can use  
11          for recruitment and retention, that type of thing,  
12          which we very possibly could do. But --

13          So that's really the legal part of it, is that --  
14          do we have the money? We know it's sitting there, but  
15          we have a certain allotment that we can spend, right,  
16          legislatively.

17          So I had another on the side.

18          Yeah. It's always tough to get pay increases.  
19          Our system is based on -- our system is based on hiring  
20          and retention. If you don't have a hiring problem or a  
21          retention problem, then state HR is not willing to look  
22          at a compensation package 'cause evidently we're making  
23          enough money to where people are applying for our jobs  
24          and we think they're good enough that we're hiring  
25          them.

1           So you guys may hear this, and it's going to sound  
2           bad. But hopefully you don't take it that way. My  
3           perspective on hiring is that -- don't settle just to  
4           fill a seat because a seat doesn't mean that you've got  
5           an electrical inspector that can do electrical  
6           inspections. Be very sure that the people that you  
7           hire are the ones that can go out, become good  
8           electrical inspectors, because if you don't, that will  
9           limit our ability to get class and comp because now  
10          we're going to be hiring people to fill the seats,  
11          we're completely full, they won't accept our packages,  
12          and we don't have the data to show them that we have a  
13          problem.

14                 Now, that doesn't mean don't hire anybody. And  
15                 I'm very clear with that about our supervisors, is that  
16                 I want to you hire if you have those good people to  
17                 hire 'cause we need to be hiring.

18                         CHAIRPERSON JENKINS: So, Don, to kind of  
19                         mirror what you were saying about adding this to an  
20                         agenda item, I think if we can't get that on an actual  
21                         item itself, maybe we have it part of the chief's  
22                         listing so that issue comes up every meeting. And I  
23                         totally agree with that. I don't think anybody on the  
24                         Board currently is in disagreement.

25                         I would ask Pam, would it -- is it inappropriate

1 to bring up some of the Currents that were not given  
2 during the packet, or is that something we can talk  
3 about?

4 AAG THOMURE: I'm sorry. I don't understand  
5 the question.

6 CHAIRPERSON JENKINS: So we had some  
7 Electrical Currents from last couple months. Is that  
8 something that would be inappropriate to bring up  
9 during this meeting?

10 AAG THOMURE: Does it relate to one of the  
11 agenda items?

12 CHAIRPERSON JENKINS: Well, it's more or less  
13 a "good job" comment, I guess you'd say.

14 AAG THOMURE: Yeah. I don't think there's a  
15 problem with that.

16 CHAIRPERSON JENKINS: I just want to say,  
17 back in September, whoever did the Electrical Currents  
18 did a nice write-up on Tracy's changeover. And thank  
19 you very much, whoever wrote that up. I appreciate  
20 that.

21 I think it was last meeting we had a note from --  
22 I believe Don brought up during the appeal -- mentioned  
23 how one our inspectors did a great job. And I want to  
24 point out that in the October Currents that the -- the  
25 ugly-picture comment, it's great. I love to see those

1 as far as -- I don't want them happening. But you  
2 know -- but I'm glad to see that we're out there  
3 looking for those.

4 But I will say that I'm kind of impressed that the  
5 inspector went out there and had them -- Sheetrock  
6 removed to check that out. And so, you know, they went  
7 one step above just going, "Well, I can't see it. So  
8 I'm not going to worry about it." It was -- I want to  
9 stay kudos to the inspector that did that. So --

10 And I think we're seeing more and more of that.  
11 And just to really nail down what you've been talking  
12 about all along here is we want good inspectors. We  
13 want good players. We want -- across the board  
14 Washington has a pretty high standard, and we shouldn't  
15 give that up. And by the sound of it, by keeping a  
16 high standard we're just going to keep everything the  
17 way we want it.

18 So I agree with you: We don't hire to fill a  
19 spot; we hire to do a job, a good job. And that's what  
20 we're looking for. So if it's going to benefit us,  
21 just an extra feather in our cap for that.

22 Anybody have any other comments or any questions  
23 for Wayne -- I can't say it -- Wayne Molesworth today?  
24 One of those days.

25 SECRETARY MOLESWORTH: You're not the only

1 one, Jason, so don't worry about that.

2 CHAIRPERSON JENKINS: I keep calling you  
3 Waynes for some reason. I don't know what it is.

4 Any more questions?

5 All right. On that note I guess we're on to  
6 Item No. 8., certification/CEUs.

7 And I guess I should check in with Sue and see how  
8 she's doing as far as our court reporter.

9 How are you doing?

10 THE REPORTER: I'm good to go.

11 CHAIRPERSON JENKINS: Are we good to go?  
12 Continue on, I'm assuming.

13 So we're up to, I guess, Larry Vance here, one of  
14 our technical specialists, to talk about  
15 certification/CEU and quarterly reports.

16 Larry, are you ready to go?

17 TECHNICAL SPECIALIST VANCE: I am. I am.

18 CHAIRPERSON JENKINS: All right. The floor  
19 is yours.

20 TECHNICAL SPECIALIST VANCE: My name is Larry  
21 Vance. I'm a technical specialist for the Department  
22 of Labor and Industries. I work for Wayne Molesworth,  
23 the chief electrical inspector.

24 Looking at the reports in the Board packet there  
25 was an exam report -- exam report that was statistics



1 by attempts, and we track that. And it's consistent  
2 with previous years that the 01 pass rate remains  
3 steady at about 51 percent on the first-time-pass rate.  
4 So we're not seeing anything there.

5 One thing that with everything that's happened  
6 with the pandemic that we really wanted to look at was,  
7 how we doing? There's a little bit of pandemonium out  
8 there with testing centers, with anybody that has the  
9 public walking in their doors. So I really wanted to  
10 take a look and see where we were, and that's why I  
11 included a special report there that showed exam  
12 attempts across the United States at all PSI test  
13 centers.

14 So what that looked like is that -- what it shows  
15 is that for the previous month we had almost 100 -- 100  
16 first-time attempts by 01 electricians, which is  
17 consistent with the 900 attempts in last year. So  
18 while we are functioning and the test centers are  
19 functioning, there's -- there is some -- certainly  
20 some -- I wouldn't call it chaos. I would just call  
21 it -- there's people that have exam appointments  
22 canceled for different reasons. There's some things  
23 going on.

24 So if Board members are hearing about that, I know  
25 that our exam provider is working diligently to make

1 exams as available as possible. And we are also  
2 following up any time we get notified with the exam  
3 provider. And I just wanted to investigate and relate  
4 the fact that our exam system is not broken. It is  
5 just, I would say, stressed by the pandemic, like  
6 everything else is.

7 With that, I'm available for questions.

8 CHAIRPERSON JENKINS: I think everything  
9 we've seen on here is pretty par for the course.

10 So does anybody else have any questions or  
11 comments about this?

12 All right. Well, wow. Up to our agenda Item  
13 No. 9. Open for public comment.

14 Once again, anything else for Larry?

15 Thank you, Larry.

16 So Agenda Item No. 9, public comments. I think  
17 I'm just going to mirror what was done last time, and  
18 I'm going to open the door for anybody that would like  
19 to speak during public comment.

20 You'll need a couple seconds to unmute and voice  
21 that you're -- voice who you are.

22 There's one.

23 MR. SMITH: Hello. Can you hear me?

24 CHAIRPERSON JENKINS: Yep. And your name?

25 MR. SMITH: Yes. My name is David Smith.

1 I'm with Eaton.

2 CHAIRPERSON JENKINS: Okay, David Smith. Go  
3 ahead.

4 MR. SMITH: Yes. I just want to thank first  
5 of all the Electrical Board for letting me talk today.

6 And I do want to reference two things I believe  
7 Mr. Mutch had discussed today, the first one being the  
8 210.8(F) and then going in for the Washington -- and  
9 the second one being 210.8(A)(7) amendments. He  
10 referenced two TI proposals.

11 However, when it comes to this I did want to go  
12 ahead and, number one, not only echo the NEMA  
13 recommendation to not go ahead with these particular  
14 amendments but also, whatever comes of these TIs, they  
15 both were rejected by the end of PA due to lack of  
16 substantiation.

17 And so if the State of Washington has any type of  
18 substantiation that, you know, the electrical industry  
19 is not aware about, we would love to hear that because  
20 we would be able to go ahead and change the code for  
21 the 2023 NEC. If there's not any particular  
22 substantiation, I would like to know a little bit more  
23 detail on exactly why the State of Washington decided  
24 to do that.

25 Thank you very much.

1 CHAIRPERSON JENKINS: Thank you very much,  
2 David Smith.

3 We have anybody else that would like to open for  
4 public comments?

5 (No audible response.)

6 CHAIRPERSON JENKINS: There's once.

7 Once again. Is there anybody who would like to  
8 speak during open public comment?

9 (No audible response.)

10 CHAIRPERSON JENKINS: There's twice.

11 And once again, is there anybody that would like  
12 to speak during public comment?

13 (No audible response.)

14 CHAIRPERSON JENKINS: And, Pam, do you  
15 feel --

16 MR. DORROUGH: Can you hear me?

17 CHAIRPERSON JENKINS: Oh, there we go.

18 MR. DORROUGH: Can you - anybody hear me?

19 CHAIRPERSON JENKINS: Yes, we can.

20 MR. DORROUGH: Hello?

21 Okay. Good. Whoo. I'm like, "Hello? Hello?"

22 All right. My name is James Dorrough. I'm owner  
23 of Kanon Electric. And I have a question or a comment  
24 about Bates, the technical school, and their trainees  
25 there.

1           The ruling says that they can have 4,000 hours of  
2 their schooling applied towards an 01 electrical  
3 license. This gives an unfair advantage to contractors  
4 who do 01 electrical work.

5           We are a residential electrical contractor.

6           Interesting thing is they spend the first full  
7 year doing solely residential electrical work and  
8 training and classroom time, yet none of their time  
9 is -- can be credited towards a specialty license. So  
10 consequently, a lot of them don't want to go to a  
11 contractor like me because they invest a lot of money  
12 and effort, and now that basically is worthless to  
13 them.

14   (Background noise.)

15           MR. DORROUGH: Hello?

16           CHAIRPERSON JENKINS: Yes. We're here.

17           MR. DORROUGH: Okay. I was hearing some  
18 voices in the background.

19           CHAIRPERSON JENKINS: Yes. If anybody else  
20 on the system would please mute their mic, we'd  
21 appreciate it.

22           Go ahead and continue.

23           MR. DORROUGH: So that -- yeah. So that --  
24 that is my -- my issue. I would like to see that  
25 ruling changed and half of the requirement, just like

1           it's half the requirement towards an 01 license, their  
2           hours can be applied to -- like to see that ruling  
3           changed so that half of the required hours for  
4           residential license could be applied.

5                       CHAIRPERSON JENKINS: Thank you very much.  
6           Anything else you want to speak to, James?

7                       MR. DORROUGH: Okay.

8                       CHAIRPERSON JENKINS: Thank you very much.

9                       MR. DORROUGH: Uh . . .

10                      CHAIRPERSON JENKINS: Oh, go ahead.

11                      UNIDENTIFIED SPEAKER: Also, I wanted to say  
12           I am glad for -- I heard his comment -- Wayne's comment  
13           on the efficiency being dealt with and the IDM. We  
14           have an apprentice who's -- has been waiting extremely  
15           long time. It seems --

16                      He -- he was required to make a payment. Due to  
17           COVID -- usually you could just go right into the  
18           office and you can deal with these things directly.  
19           Right? He didn't send his payment in. So it's a --  
20           it's about a -- one-month process for them to go, "Oh,  
21           you got to send your payment."

22                      So a payment was overnighted, and one week later  
23           the funds were deposited. Yet still no approval for  
24           training. And then I was told that the payment has to  
25           be actually scanned in. That took another week just

1 for them to scan it in. So here we are over two weeks  
2 from the payment being received through L&I 'til he  
3 even gets approved for the hours.

4 It would -- it would -- seems like when the --  
5 when we're just -- when the hours are approved, if it  
6 could be -- if approval for the test could be given but  
7 the withholding of the actual certificate of being  
8 withheld until the funds were processed would be nice.

9 As you guys know -- I'm sure you've heard from  
10 contractors -- we're booking out new customers almost  
11 one month because we don't have enough electricians.  
12 We are just as desperate for manpower as commercial  
13 contractors are. Yet, you know, we don't get any of  
14 the benefits that some of the commercial contractors  
15 get, like these reciprocal agreements for Oregon. They  
16 only apply for a general license. They don't apply for  
17 a residential license.

18 There was also a decision made. And I don't  
19 remember exactly. But there was a decision made that  
20 somebody in the final steps of their -- stages of their  
21 apprenticeship could go ahead and work as a journeyman.  
22 That only applies again towards a general license.

23 It doesn't apply to a specialty. So we're even  
24 more put back with our backs against the wall trying to  
25 take care of our residential customers. Some of them

1 are waiting with unsafe issues in their homes for us to  
2 be able to get out to their homes just because we don't  
3 have the manpower available to be able to take care of  
4 them in a timely manner. And so delays are really  
5 impacting our business.

6 And then lastly, we have another situation with  
7 one of our trainees who's in the military. And due to  
8 COVID and whatnot, there was some delays, and he ended  
9 up not getting his affidavits turned in in a timely  
10 manner. I think he has some special exceptions to the  
11 rule, and I would really like to speak to Wayne  
12 directly on this matter because I think there is some  
13 things that are being overlooked in the decision for  
14 his hours being denied because of paperwork.

15 And to delay somebody in the progress of their  
16 career because of a form not being turned in in a  
17 timely manner just seems a little overboard. I think a  
18 fine is in order or something to that matter.

19 Or if there is a history where somebody has not  
20 done this, then I could see that. But to -- for a  
21 first-time- offense situation to say, "No, you don't  
22 qualify, and we're going to throw away all those hours"  
23 doesn't seem like the punishment meets the crime.

24 Anyways, that's what I had to say.

25 CHAIRPERSON JENKINS: Okay. And I'm sure you



1 need get ahold of Wayne directly, I'm assuming.

2 MR. DORROUGH: Well, I haven't. I've been  
3 met by the border guard, Megan Kristen (phonetic). I  
4 haven't been able to speak to him directly. I was told  
5 that she is as high as I could go. And that's --

6 CHAIRPERSON JENKINS: Okay.

7 MR. DORROUGH: -- that was final.

8 CHAIRPERSON JENKINS: Okay. Thank you very  
9 much for your time. Appreciate it.

10 One last thing I forgot to mention for the court  
11 reporter, can you please spell your first and last name  
12 for me.

13 MR. DORROUGH: First name is James. Last  
14 name is Dorrough, D as in delta -o-r-r-o-u-g-h.

15 CHAIRPERSON JENKINS: That's my bad. I  
16 should have done that at the very beginning.

17 Thank you very much.

18 MR. DORROUGH: Thank you.

19 MR. JENKINS: All right. Do we have anybody  
20 else for open comment, public comment?

21 (No audible response.)

22 CHAIRPERSON JENKINS: Once?

23 Is there anybody else for public comment?

24 (No audible response.)

25 CHAIRPERSON JENKINS: There's twice.

1                   And once again, anybody for open public comment?

2                                   (No audible response.)

3                   CHAIRPERSON JENKINS: And my question back to  
4 you, Pam, did we cover the needs for this?

5                   AAG THOMURE: The question is whether you  
6 need to do anything further?

7                   No, you don't. You're good.

8                   CHAIRPERSON JENKINS: That was my question.  
9 Thank you very much. My selection of words not too  
10 great for this area. Sorry.

11                  All right. Well, if that's the case, if there are  
12 no other comments, I would -- the chair would entertain  
13 a motion to adjourn.

14                  MR. PHILLIPS: Alice Phillips, so moved.

15                  BOARD MEMBER BAKER: Tom Baker, second.

16                  CHAIRPERSON JENKINS: And we had a second.  
17 Any discussion?

18                                   (No audible response.)

19                  CHAIRPERSON JENKINS: Hearing that, all in  
20 favor say "aye."

21                                   (Chorus of ayes.)

22                  CHAIRPERSON JENKINS: Opposed?

23                                   (Chorus of ayes.)

24                  CHAIRPERSON JENKINS: Any opposed? Sorry. A  
25 little too quick. Got to slow down a little bit.

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(No audible response.)

CHAIRPERSON JENKINS: And at that point the motion passes. And thank you very much for your time on this. I appreciate everyone's work on this.

(Proceedings concluded at 10:32 a.m.)

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C E R T I F I C A T E

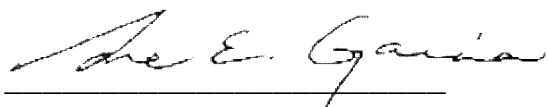
I, SUE E. GARCIA, a Certified Court Reporter in and for the State of Washington, residing at Tacoma, authorized to administer oaths and affirmations pursuant to RCW 5.28.010, do hereby certify:

That the foregoing proceedings were taken before me via Skype on the 29th of October, 2020, and thereafter transcribed by me by means of computer-aided transcription, that the transcript is a full, true, and complete transcript of said proceedings, consisting of pages 1 through 68;

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;

IN WITNESS WHEREOF, I have hereunto set my hand and this November 11, 2020.



SUE E. GARCIA, CCR, RPR  
WA Lic. No. 2781



|   |   |   |   |   |
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