
Building Codes Division

*Working with Oregonians
to ensure safe building
construction while
supporting a positive
business climate.*

Notice of Public Hearing

June 21, 2011

**Changes to temporary apprenticeship
license requirements**

Opportunity for public input:

Those who would like to provide testimony may attend a public hearing on June 21, 2011 at 9:00 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to the contact below. The last day to submit written comments is 5:00 p.m. June 24, 2011.

Live broadcast via the internet:

To view the public hearing live, click on "[View live meeting](#)"

Purpose of the rule:

This proposed rule makes changes to existing rule that allows an electrical apprentice from another state to work in Oregon if that state has a reciprocal apprentice license program.

Citation:

Amend OAR 918-282-0270 & Repeal 918-282-0280

History:

The current Oregon apprenticeship licensing rules only allow issuance of temporary reciprocal licenses for electrical apprentices. These temporary licenses are further restricted to one project, are for a maximum of 180 days, and are not renewable. Oregon is the only state under the Apprenticeship Reciprocal Agreement that places restrictions on reciprocal licenses for electrical apprentices. The Washington State Apprenticeship Training Council is considering action that would stop reciprocal licensing of apprentices because of Oregon's restrictions. This would have negative consequences for apprentices and employers in Oregon. Washington would no longer allow Oregon apprentices to work in Washington, and Washington apprentices would no longer be able to work in Oregon

If adopted, this proposed rule will replace the temporary rule adopted by the Division on April 1, 2011.

Contact:

If you have questions or need further information, please contact Hearing Officer Jim Hanson at james.m.hanson@state.or.us or 503-373-1227.



Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

| | |
|---|-------------------------------------|
| Department of Consumer and Business Services, Building Codes Division | 918 |
| Agency and Division | Administrative Rules Chapter Number |
| Stephanie Snyder | PO Box 14470, Salem, OR 97309 |
| Rules Coordinator | Address |
| | (503) 373-7438 |
| | Telephone |

RULE CAPTION

Abolishing Temporary Apprenticeship Licenses (180 Day Rule)
Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

| | | | |
|---------------|--------|---|------------------|
| June 21, 2011 | 9 a.m. | 1535 Edgewater Street NW, Salem, OR 97304 | Jim Hanson |
| Hearing Date | Time | Location | Hearings Officer |

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.
ADOPT:

AMEND: OAR 918-282-0270

REPEAL: OAR 918-282-0280

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 479.730

Other Auth.:

Stats. Implemented: ORS 479.630

RULE SUMMARY

The existing rule allows an electrical apprentice from another state that is party to the state apprenticeship reciprocal agreement to receive a temporary apprentice license to work in Oregon for a period not to exceed 180 days. The rule allows an apprentice to work on a single project up to 180 days. This license cannot be renewed.

This rule would abolish OAR 918-282-0280, Temporary Apprentice Licenses, which imposes the 180-day time limit, single project, and non-renewal restrictions. The rule would add provisions for reciprocal apprentices in OAR 918-282-0270, Apprentices, and clarify that a reciprocal apprentice may work under indirect supervision if they meet the requirements for an indirect supervision card. This rule is in effect currently as a temporary rule, which this rulemaking proposes to make permanent.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

June 24, 2011 at 5 p.m.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

| | | |
|-----------|---------------|------|
| | Patrick Allen | |
| Signature | Printed name | Date |

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services, Building Codes Division
Agency and Division

918

Administrative Rules Chapter Number

Abolishing Temporary Apprenticeship Licenses (180 Day Rule)

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Amending OAR 918-282-0270 and repealing OAR 918-282-0280

Statutory Authority: ORS 479.730

Other Authority:

Stats. Implemented: ORS 479.630

Need for the Rule(s): To allow electrical apprentices in an approved apprenticeship program from states that are a part of the Apprenticeship Reciprocal Agreement to receive reciprocal licenses that are not temporary.

Documents Relied Upon, and where they are available: The temporary rule in place may be found on the division's website under "Rules and Rulemaking." Information about the reciprocal agreement may be obtained from the division at 1535 Edgewater St. NW Salem, Oregon 97304, or by contacting the BOLI Apprenticeship and Training Division

Fiscal and Economic Impact: Negligible

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): None. BOLI already issues reciprocal electrical apprentice licenses; the rule only removes the time and activity restrictions on them.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: This rule will affect electrical contractors in Oregon who use electrical apprentices. There are 2063 electrical contractors who could employ an apprentice subject to this rule. The division is unable to determine how many of the electrical contractors subject to this rule are small businesses.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: This rule will not change current recordkeeping or other administrative requirements.

c. Equipment, supplies, labor and increased administration required for compliance: None.

How were small businesses involved in the development of this rule?

The rule advisory committee included small business owners.

Administrative Rule Advisory Committee consulted? Yes

If not, why?

Signature _____ Patrick Allen
Printed name

_____ Date

**ELECTRICAL TEMPORARY APPRENTICESHIP LICENSE
INDIRECT SUPERVISION HOURS REVISION**

918-282-0270

Apprentices

(1) An apprentice:

(a) Shall meet the following minimum requirements:

(A) General journeyman, Class A limited energy technician and Class B limited energy technician:

(i) Be 17 years of age to apply, 18 years of age to ~~indenture~~ **be registered**;

(ii) Have a high school diploma, GED, or international equivalency; and

(iii) Have one-year high school algebra, integrated math 2 or its equivalent, with a grade of "C" or better, or equivalent community college mathematics placement test results.

(B) Limited journeyman manufacturing plant, limited maintenance, limited journeyman sign, limited journeyman stage and limited renewable energy technician:

(i) Be 17 years of age to apply, 18 years of age to ~~indenture~~ **be registered**;

(ii) Have a high school diploma, GED or international equivalency; and

(iii) Have one-year high school mathematics with a passing grade, or equivalent community college mathematics placement test results;

(C) Limited residential:

(i) Be 17 years of age to apply, 18 years of age to ~~indenture~~ **be registered**;

(ii) Have a high school diploma, GED, or international equivalency; and

(iii) Have one-year high school algebra, integrated math 2 or its equivalent, with a grade of "C" or better, or one-year high school math and completion of an algebra course as part of an approved apprenticeship program, with a grade of "C" or better, or equivalent community college mathematics placement test results.

(b) Shall be licensed;

(c) ~~May Assist a journeyman, general supervising electrician, limited renewable energy technician or limited residential electrician~~ **an appropriately licensed electrician** on the same job site and the same shift in performing electrical work authorized in the trade, or branch of the trade, in which the licensee is ~~indentured~~ **registered**; and

(d) ~~Is not authorized to~~ **Shall not** perform electrical work under a person holding a letter of authority card issued to State of Oregon employees.

**ELECTRICAL TEMPORARY APPRENTICESHIP LICENSE
INDIRECT SUPERVISION HOURS REVISION**

(2) **Apprentice licenses: issued under sections (3)(a), (4), or (5) of this rule are issued and renewed by the Oregon Bureau of Labor and Industries according to standards established in this rule and the guidelines established by the Bureau of Labor and Industries and the Building Codes Division.**

(3) Electrical apprentice licenses:

(a) Shall be issued to individuals ~~enrolled~~ **registered** in formal electrical apprenticeship programs recognized by the board and the Oregon Bureau of Labor and Industries under ORS Chapter 660; and

(b) May be issued to trainees enrolled in individually approved, employer-sponsored training programs leading to the limited journeyman license in OAR 918-282-0190. Individuals enrolled in these programs may be issued an electrical apprentice license only if the employer's program is approved by the board.

~~(3)~~ **(4) Reciprocal electrical apprentice licenses shall be issued to individuals currently registered in an approved apprenticeship program outside Oregon in a state that is party to the state apprenticeship reciprocal agreement.**

~~(5)~~ **Notwithstanding subsection (1)(c) of this rule, a final term apprentice licensed under sections (3)(a) or (4) of this rule that meets the requirements of this section and the Bureau of Labor and Industries may be issued an indirect supervision electrical apprentice license, allowing the apprentice to work under indirect supervision at the discretion of the responsible supervisor. A license under this section may be issued to:**

(a) A final term apprentice in an 8,000 hour apprenticeship program with at least 6,500 hours of on-the-job training, ~~may work under indirect supervision at the discretion of the responsible supervisor~~ **allowing the apprentice to work under indirect supervision** on projects not exceeding eight hours duration and limited to 300 volts phase to phase or phase to ground; or;

(b) A final term apprentice in a 6,000 hour apprenticeship program with at least 5,000 hours of on-the-job training, ~~may work under indirect supervision at the discretion of the responsible supervisor~~ **allowing the apprentice to work under indirect supervision** on projects not exceeding eight hours duration that are otherwise within the scope of the apprentice's license.

**ELECTRICAL TEMPORARY APPRENTICESHIP LICENSE
INDIRECT SUPERVISION HOURS REVISION**

Stat. Auth.: ORS 479.730

Stats. Implemented: ORS 479.730

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0980; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0190; BCD 23-2000, f. 9-29-00, cert. ef. 10-1-00; BCD 23-2001(Temp), f. 12-28-01, cert. ef. 1-1-02 thru 6-29-02; BCD 9-2002, f. 3-29-02, cert. ef. 4-1-02; BCD 23-2002, f. 9-13-02 cert. ef. 10-1-02; BCD 2-2008, f. 2-21-08, cert. ef. 4-1-08; BCD 8-2011, f. 3-30-11, cert. ef. 4-1-11; BCD 9-2011(Temp), f. 3-30-11, cert. ef. 4-1-11

918-282-0280

Temporary Apprentice License

(1) ~~A temporary electrical apprentice:~~

(a) ~~Performs electrical work as a helper, learner or trainee not licensed or required to be licensed;~~

(b) ~~Assists journeymen or general supervising electricians in electrical work within the State of Oregon at a specific job location for a period not exceeding 180 days;~~

(c) ~~Shall be currently indentured in an approved apprenticeship training program outside Oregon; and~~

(d) ~~Has been recommended through the state apprenticeship reciprocal agreement dated April 20, 1996, adopted by the Oregon Bureau of Labor and Industries~~

(2) ~~Upon written authorization from the Oregon Bureau of Labor and Industries Apprenticeship and Training Division, the division shall issue a temporary apprentice license showing the dates of temporary employment expiring 180 days from the date of issuance.~~

Stat. Auth.: ORS 479.630(14) & 479.680

Stats. Implemented: ORS 479.630 & 479.680

Hist.: DC 15-1987, f. & ef. 5-15-87; Renumbered from 814-022-0990; BCD 19-1996, f. 9-17-96, cert. ef. 10-1-96; Renumbered from 918-320-0200