

1 DEPARTMENT OF LABOR AND INDUSTRIES

2 STATE OF WASHINGTON

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4 \_\_\_\_\_  
5  
6 ELECTRICAL BOARD MEETING

7  
8 TRANSCRIPT OF PROCEEDINGS

9  
10 Thursday, April 28, 2016  
11 \_\_\_\_\_  
12

13 BE IT REMEMBERED, that an Electrical Board meeting  
14 was held at 9:00 a.m. on Thursday, April 28, 2016, at the  
15 Tacoma Rhodes Center, Orcas Room, 949 Market Street,  
16 Tacoma, Washington, before CHAIRPERSON TRACY PREZEAU,  
17 BOARD MEMBERS ALICE PHILLIPS (Vice Chair), ROD BELISLE,  
18 JOHN BRICKEY, JANET LEWIS, RANDY SCOTT, MIKE NORD, DYLAN  
19 CUNNINGHAM, DON BAKER, DAVID WARD, BOBBY GRAY, KEVIN  
20 SCHMIDT, DOMINIC BURKE, and SECRETARY/CHIEF ELECTRICAL  
21 INSPECTOR STEPHEN THORNTON. Also present was ASSISTANT  
22 ATTORNEY GENERAL PAM REULAND representing the Board.

23 WHEREUPON, the following proceedings were held, to  
24 wit:

25  
26 Reported by:  
27 H. Milton Vance, CCR, CSR  
28 (License #2219)

29 EXCEL COURT REPORTING  
30 16022-17th Avenue Court East  
31 Tacoma, WA 98445-3310  
32 (253) 536-5824

Thursday, April 28, 2016  
Tacoma, Washington

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CHAIRPERSON PREZEAU: So good morning, everybody. It is 9:02. It is April 28, 2016, and I would very much like to call the Electrical Board meeting to order.

Item Approve Transcripts from January 28, 2016,  
Electrical Board Meeting

CHAIRPERSON PREZEAU: So the first item on the agenda is to approve the transcripts from the January 28, 2016, Electrical Board meeting.

John.

BOARD MEMBER BRICKEY: I have a correction.

CHAIRPERSON PREZEAU: Ooh, good. Super duper. What is the correction?

BOARD MEMBER BRICKEY: It's on page 126, line 1. It states "parts A, B, C accepting the inspection fees," and it should state "parts A, B, C accept for the inspection fees."

CHAIRPERSON PREZEAU: So could you say that again please.

BOARD MEMBER BRICKEY: Page 126, line 1, parts A, B and C, it currently states "accepting the inspection fees," and it should be "parts A, B, (and) C except for

1 the inspection fees."

2 CHAIRPERSON PREZEAU: Any disputes with the  
3 correction?

4 The Chair would entertain a motion to accept the  
5 transcripts as amended.

6

7 Motion

8

9 BOARD MEMBER NORD: Motion.

10 BOARD MEMBER BELISLE: Second.

11 CHAIRPERSON PREZEAU: It's been moved and seconded to  
12 accept the transcripts as amended. All those in favor,  
13 signify by saying "aye."

14 THE BOARD: Aye.

15 CHAIRPERSON PREZEAU: Opposed?

16

17 Motion Carried

18

19 CHAIRPERSON PREZEAU: Transcripts are approved.

20

21 Item 2. Departmental/Legislative Update

22

23 CHAIRPERSON PREZEAU: And it is my understanding that  
24 Mr. Rodriguez will not be joining us today, so Steve is  
25 going to give us the departmental/legislate update, right?

1           SECRETARY THORNTON:  Yes.

2           So as far as the legislative update goes, the  
3           decision package that was turned in is still alive.  It  
4           has -- yeah, it's still alive.

5           There was a fee increase of 4.32 percent that we'll  
6           start rulemaking on before too long to get that put in  
7           place.

8           The mobile inspection project that was approved,  
9           they're in the process of writing that program.  And it's  
10          been put together by a group of inspectors, leads and  
11          supervisors from the field, and they've gotten it to the  
12          point that it has been taken out to the field.  They've  
13          gone to Spokane, Moses Lake, Kelso, Everett and Tacoma to  
14          have the inspectors themselves look at what's being  
15          designed and have their input into it.

16          Maybe next meeting we'll have a presentation to show  
17          so you can actually see what is coming out of that  
18          process.

19          CHAIRPERSON PREZEAU:  So remind, Steve, what's the  
20          anticipated launch date of the new system?

21          SECRETARY THORNTON:  I don't know that there is an  
22          anticipated launch date.  It's probably going to be next  
23          -- I don't think it'll be ready by fall.  It might be.  
24          They're making good progress.  We'll talk about the  
25          financial part of it in my Secretary's report.

1           There is a -- we're putting together a proposal right  
2 now to be able to reinstate some of the positions that we  
3 lost in 2008 for the next go-around. So we're in the  
4 beginning stages of that.

5           And our vacancy rate is staying about eight to ten.  
6 It doesn't seem to move much one way or the other.

7           CHAIRPERSON PREZEAU: Is that eight to ten positions  
8 or 8 to 10 percent?

9           SECRETARY THORNTON: Eight to ten positions.

10          And so it has been a struggle for us, and that may  
11 have an impact on whether we get the okay on more  
12 positions or not.

13          Last time we had a hard time asking for more because  
14 we couldn't fill what we had.

15          And that's it.

16          CHAIRPERSON PREZEAU: Any questions for Steve, the  
17 departmental/legislative update?

18          I will just report that -- if you recall when we were  
19 together in January, I don't remember exactly how many  
20 pending pieces of legislation were in the hopper that had  
21 significant varying impact, but most of them potentially  
22 significant impact on specifically the electrical program.  
23 So we convened, you know, the Board for the second or  
24 third time, decided to identify folks to sit on the  
25 subcommittee to monitor those pieces of legislation, and

1 in the event that one or more became -- developed some  
2 significant momentum, we would weigh in -- we would  
3 communicate with the Governor's office and the majority  
4 leader and the Speaker of the House. So that committee  
5 was comprised of myself, Rod Belisle, Mike Nord and Alice  
6 Phillips. And I'm very happy to report that we didn't  
7 have to do anything. There is -- well, we didn't have to  
8 do anything -- we had to do some things, but we didn't  
9 have to take official action on behalf of the Board.

10 But I'm curious, Stephen, I don't know if you're able  
11 -- perhaps you're able to answer this. I know that one of  
12 your technical specialists might have a more thorough  
13 answer just because that's who I've spoken with on this  
14 subject.

15 But there was one piece of legislation that did I  
16 believe successfully pass out of both chambers and was  
17 signed by the Governor, that the attorney general's office  
18 was reviewing to determine potential impact on the  
19 electrical program.

20 And I'm looking at you, Rod, because I can't remember  
21 the subject matter. But Rod -- both Rods actually.

22 Go ahead, Rod.

23 BOARD MEMBER BELISLE: I believe it had something to  
24 do with the Department being able to determine scope of  
25 work for a specific or a variety of license types.

1 SECRETARY THORNTON: Yeah.

2 CHAIRPERSON PREZEAU: Is that -- Steve, is that  
3 consistent with your --

4 SECRETARY THORNTON: Yes.

5 CHAIRPERSON PREZEAU: And do you have a -- has your  
6 AAG reviewed that to determine whether or not that does  
7 have impact on our program? Like can you talk about that  
8 a little bit?

9 SECRETARY THORNTON: And I don't know -- do you know  
10 whether they've looked at it yet or not?

11 MR. MUTCH: The AAG has not.

12 SECRETARY THORNTON: Right. But what it will --

13 MR. MUTCH: It's fairly simple.

14 SECRETARY THORNTON: Yeah. But what it does, it  
15 gives us the ability to deal with the scope of work on the  
16 ones that were in the RCW's. There were three of them --

17 CHAIRPERSON PREZEAU: Oh, yes.

18 SECRETARY THORNTON: -- that we couldn't really do  
19 much with because it was the law instead of a WAC rule  
20 that we can deal with.

21 CHAIRPERSON PREZEAU: So there was three -- for the  
22 rest of the Board, there's three certificates -- specialty  
23 certificates --

24 SECRETARY THORNTON: Yes.

25 CHAIRPERSON PREZEAU: -- whose scopes of work are

1 defined in statute and not in rule. Is that right?

2 SECRETARY THORNTON: That's correct, yes.

3 CHAIRPERSON PREZEAU: So it becomes increasingly  
4 difficult to modify those scopes of work because it  
5 requires legislation rather than rule-making process.

6 And I won't pretend to know which ones they are off  
7 the top of my head, but --

8 SECRETARY THORNTON: It's the --

9 MR. MUTCH: Telecom.

10 CHAIRPERSON PREZEAU: It's 09 Telecom.

11 MR. MUTCH: The equipment -- equipment repair.

12 CHAIRPERSON PREZEAU: Equipment repair?

13 MR. MUTCH: Yes. And the restricted non-residential  
14 maintenance.

15 CHAIRPERSON PREZEAU: Restricted non-residential  
16 maintenance, which is an 07 subspecialty.

17 And that's -- as far as we understand, that's the  
18 only -- so that's a good thing.

19 SECRETARY THORNTON: Yes.

20 CHAIRPERSON PREZEAU: And as far as what we -- no,  
21 that's the only net legislative impact following closing  
22 of the 2016 legislative session, correct?

23 SECRETARY THORNTON: Yes.

24 CHAIRPERSON PREZEAU: Do we have any updates about  
25 the ongoing ethics board and whether they have made a

1 determination regarding inspectors being eligible to teach  
2 in some of those -- the modified parameters that were put  
3 on that modified expectations of the inspectors that  
4 potentially would teach in industry classes?

5 SECRETARY THORNTON: That is at the ethics board.  
6 They have put it on the agenda for this go-around. But  
7 it's something that seems to slide towards the bottom.  
8 And if it's -- if they run out of time, it drops off.

9 It's been looked at and approved by everybody up to  
10 that point. So the Department is good with the way it's  
11 written and stuff. Jose's waiting for what he calls safe  
12 harbor so that the inspector is not --

13 CHAIRPERSON PREZEAU: Yeah. We don't want to -- I  
14 mean, as much as they want to have inspectors, we  
15 recognize -- this body obviously recognize -- multiple  
16 times has recognized the value of that. But I also don't  
17 -- also don't want to in any way, shape or form jeopardize  
18 the employment of any of the inspectors that are waiting  
19 for the administrative body to make a decision.

20 I don't know if the ethics board would be compelled  
21 by industry communication. I don't know how that works.

22 SECRETARY THORNTON: I don't either. It can't hurt.

23 CHAIRPERSON PREZEAU: Okay. Any questions for Steve  
24 functioning as Jose Rodriguez and the departmental/  
25 legislate update?

1 I'm sure we'll have more opportunities to chat with  
2 him when he gives his secretary's report.

3  
4 Appeals

5  
6 CHAIRPERSON PREZEAU: Okay, with that being said,  
7 we're on agenda item 3, which is appeals. Before we get  
8 there, or as we walk into this agenda item, I just wanted  
9 to remind folks that we actually -- the appeals that we  
10 dealt with and the final orders we dealt with in January,  
11 well, the appeals, we have no lingering issues from  
12 January. We were able to get all the final orders agreed  
13 to and signed. So we don't have any presentments of final  
14 orders; that's all done.

15 Additionally, I think Bethany sent out an e-mail  
16 indicating that the notice of intent to suspend the  
17 electrician certificate for Danny Taylor has been settled  
18 or at least been removed from the agenda as has the notice  
19 of intent to suspend the training certificate for Mikhail  
20 Lukyanov. So that has been -- that matter has been  
21 remedied.

22  
23 Item 3.a. Notice of Intent to Suspend General  
24 Administrator Certificate for Vladislav Razumovich

25

1           CHAIRPERSON PREZEAU: And so we are going to take up  
2 the matter of notice of intent to suspend general  
3 administrator certificate for Vladislav Razumovich.

4           So if the parties in this matter would please come  
5 up. Okay, so as the parties get settled, I want to ensure  
6 that the record reflects that I have just looked at the  
7 sign-in sheets posted at the front of the entry of the  
8 meeting, and there are no names on the sign-in sheet  
9 requesting to address the Board, which would also indicate  
10 that Mr. Razumovich has not signed in to the meeting.

11           And I am going to call Mr. Razumovich three times.  
12 If he is present, please come up. I don't believe that  
13 he's here. But I want to make sure that the record  
14 reflects that we gave him ample opportunity. It is 16  
15 minutes after 9:00.

16           So I want to before -- as the parties get settled, I  
17 want to make sure the Board members understand that this  
18 hearing although it appears Mr. Razumovich, the appellant,  
19 is not present, we will go through the matter in front of  
20 -- the intent to suspend because it's the proper thing to  
21 do and because the matter could move on from this Board  
22 after we render a decision, assuming we render a decision  
23 today. So we need to make a good record.

24           Unlike most of -- unlike when we do appeals from the  
25 Department of Administrative Hearings, this is an original

1 hearing, so there's some evidence that was submitted by  
2 the Department through their assistant attorney general,  
3 Ms. Kellogg, which we will address when we get there.

4 But we are not -- this body will sit in the same  
5 capacity, if you will, as an administrative law judge when  
6 we review those transcripts of citation appeals.

7 So the way this is going to go is we will do some  
8 procedural stuff in the beginning, address the materials  
9 that were -- that are -- that the Board members have in  
10 terms of exhibits from the Department through their  
11 attorney. We will establish the jurisdiction of the Board  
12 to hear this matter. We will then take opening statements  
13 in the event that counsel wants to make opening statements  
14 or could waive those.

15 The Department who has the burden of proof in this  
16 matter will present their case first. It is my  
17 understanding that they are prepared to call at least one  
18 witness.

19 And then -- and when the Board members -- you guys  
20 are familiar with reading those transcripts. Like the ALJ  
21 oftentimes will ask questions of the parties in front of  
22 them. So you definitely -- all of you have the ability to  
23 ask questions of counsel and their witness or witnesses.

24 And then -- but I would ask that because of the  
25 nature of our tribunal today that questions asked during

1 the presentment of the case be focused on merit and not --  
2 we will have ample opportunity to deliberate and ask  
3 questions of one another in that deliberation process, but  
4 I would caution Board members to restrict your questions  
5 during the tribunal to focus on the specific subject  
6 matter questions, right? and save the deliberations for  
7 the final phase.

8 And as I said, the parties will be given an  
9 opportunity to make closing statements if they so choose,  
10 you know, questions.

11 And then the Board, we will be asked to render a  
12 decision if at all possible in the matter of the intent to  
13 suspend the general administrator certificate for  
14 Vladislav Razumovich.

15 Are there any questions on the process? Okay. Very  
16 good.

17 So -- yeah. So what we -- so what we're going to do,  
18 though, is do some instructions.

19 So Ms. Kellogg, if you would state and spell your  
20 name for the court reporter.

21 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes. My name is  
22 Nancy Kellogg, the AAG, and I represent the Department of  
23 Labor and Industries today.

24 I have with me Faith Jeffrey who will be my main  
25 witness.

1           CHAIRPERSON PREZEAU:   Excellent.

2           So I've asked Pam to explain to Board members the  
3 materials that were sent to you and the materials that  
4 were provided for you at today's hearing.

5           ASSISTANT ATTORNEY GENERAL REULAND:   Good morning.

6           Two things I want to clarify.   Since the Department  
7 has the burden of proof in this -- it's an original  
8 hearing before the Board -- the Department has an  
9 obligation regardless of whether the appellant shows up to  
10 establish a prima facie case.   It will be up -- since the  
11 appellant has not appeared yet this morning, it will be up  
12 to Ms. Kellogg then to determine how she wants to present  
13 that and in what order of evidence.   And that the Board  
14 still has to make a decision on the merits of the case.

15           Ms. Kellogg, I'd also ask that you for purposes of  
16 the record also establish proof of service on the  
17 appellant to show that he was served with what information  
18 so that there's no questions in terms of proper notice of  
19 this proceeding.

20           The Board members also are aware that there was an  
21 Electrical Board packet that was prepared by the  
22 Secretary's office which did contain a number of the -- it  
23 did contain all of the proposed exhibits.   However, it  
24 didn't quite go out in the format that we should use for  
25 purposes of original hearings before the Board.

1 I think that this is one -- this is the first time in  
2 several years actually that we've had an original hearing.  
3 However, you should have gotten an e-mail yesterday. In  
4 addition, Beth has brought additional copies for the Board  
5 members.

6 Ms. Kellogg, pursuant to the instructions by the  
7 Board did file and she mailed on April 8th of 2018 (sic).

8 CHAIRPERSON PREZEAU: '16.

9 ASSISTANT ATTORNEY GENERAL REULAND: '16. She filed  
10 with the Electrical Board a listing of the proposed  
11 exhibits and also identification of the Department's  
12 witnesses.

13 I have independently verified and also talked to  
14 Ms. Kellogg that each of the proposed exhibits by the  
15 Department, Exhibits 1 through 20, are the documents that  
16 are contained in the appeal packet. So there are no  
17 additional documents that the Board had before it that  
18 were not to be considered.

19 And for purposes of this hearing, however,  
20 Ms. Kellogg is going to use the packet that she submitted  
21 because it has exhibit numbers and page numbers.

22 So the Board packet's in a little bit different order  
23 than the actual exhibits, but all of that information in  
24 Ms. Kellogg's listing I believe that is in chronological  
25 order, so you should be able to find anything you have

1 questions about.

2 I would also note for the record that that  
3 information was sent also to the appellant for purposes of  
4 this hearing.

5 And I'd ask Ms. Kellogg to identify whether she's  
6 received any information from the appellant in response,  
7 and we can also clarify with the Secretary's office that  
8 they have not had any contact from the appellant in this  
9 matter.

10 I think that covers everything unless I missed  
11 something.

12 CHAIRPERSON PREZEAU: Any questions about the  
13 different -- presentment of identical materials from the  
14 Department through Nancy Kellogg? Very good.

15 So Ms. Kellogg, if you would be kind enough to like  
16 walk the Board members through your exhibits. And also if  
17 you would be kind enough to go on the record regarding  
18 notice of -- or service -- notice of service to the  
19 appellant.

20 ASSISTANT ATTORNEY GENERAL KELLOGG: So I am a little  
21 confused. The notice to appellant in regards to ...

22 CHAIRPERSON PREZEAU: Your exhibits.

23 ASSISTANT ATTORNEY GENERAL KELLOGG: My exhibits,  
24 thank you.

25 CHAIRPERSON PREZEAU: I just want to establish that

1 even though he's not here today that he was given -- you  
2 provided him with the same materials that the Board  
3 members have in front of them.

4 ASSISTANT ATTORNEY GENERAL KELLOGG: And I believe  
5 you might have a copy of the notice which is entitled  
6 "Certificate of Service" and it should be just before the  
7 exhibit list. You have that in your materials?

8 CHAIRPERSON PREZEAU: Yes, I do.

9 ASSISTANT ATTORNEY GENERAL KELLOGG: Okay. So this  
10 shows that my assistant sent these documents on April 8th  
11 to Mr. Razumovich. It was in the U.S. Postal mail and  
12 also to his e-mail address.

13 CHAIRPERSON PREZEAU: Have you received any response  
14 from the appellant?

15 ASSISTANT ATTORNEY GENERAL KELLOGG: I have not.

16 CHAIRPERSON PREZEAU: Okay. And then I believe the  
17 record indicates that the Department through the Secretary  
18 -- or that the Electrical Board through the Secretary  
19 issues certified mail. I'm looking at -- so it's actually  
20 Exhibit Number 19 -- Ms. Kellogg, it's your Exhibit Number  
21 19 -- indicating that the appellant was properly served  
22 notice of this scheduled hearing today.

23 Would you like to comment on that?

24 ASSISTANT ATTORNEY GENERAL KELLOGG: Exhibit 19 is  
25 the notice of intent to suspend the general administrator

1 certificate. And then Mr. Razumovich appealed that on  
2 Exhibit 20. I have --

3 CHAIRPERSON PREZEAU: So one could reasonably  
4 construe that if he appealed it that he actually knew that  
5 this was happening.

6 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes.

7 And I also have a March 10, 2016, letter that was  
8 sent to Razumovich and was copied to me and to the advisor  
9 for the Electrical Board that indicates when the hearing  
10 is to be held and what to do in preparation for the  
11 hearing.

12 ASSISTANT ATTORNEY GENERAL REULAND: I would  
13 recommend that we mark that letter and the certified mail  
14 receipt that is attached to that letter, which is at the  
15 back of the Board packet, not in Ms. Kellogg's exhibits,  
16 as an additional exhibit in this matter.

17 CHAIRPERSON PREZEAU: Okay. So just to clarify,  
18 Board members, if you look, the last three pages of the  
19 Board packet that was e-mailed to you by Ms. Rivera  
20 contains a letter on Electrical Board letterhead dated  
21 March 10, 2016. The letter is addressed to the appellant,  
22 Mr. Razumovich, the appeal of the intent to suspend, and  
23 it details that he was notified of the intent to suspend  
24 on February 12th. The letter that is Exhibit 19, the  
25 Department's exhibit clearly identifies that the appeal

1 would be heard at the Electrical Board meeting on April  
2 20, 2016 at 9:00, gave the location of where we're at  
3 today, and the process by which was supposed to be  
4 followed in terms of identifying witnesses and submitting  
5 written documentation, and then -- it's a two-page letter,  
6 and then immediately behind that, the last page of the  
7 packet, actually is proof of certified mail to the  
8 appellant.

9 Does everybody find that?

10 So Pam, what you are suggesting is that this  
11 becomes --

12 ASSISTANT ATTORNEY GENERAL REULAND: Exhibit 21.

13 CHAIRPERSON PREZEAU: Ms. Kellogg, do you have any  
14 opposition or any objection to making these documents --  
15 including them in your exhibits?

16 ASSISTANT ATTORNEY GENERAL KELLOGG: No objection.

17 CHAIRPERSON PREZEAU: Okay. So to that end, if you  
18 would -- Ms. Kellogg, if you want to present your -- so  
19 since the appellant is not here, the assumption is being  
20 made that there are no objections now to the 21 exhibits  
21 that the Department through its attorney has submitted to  
22 the Board.

23 Are there any objections to any of the 21 exhibits  
24 now? Excellent.

25 So there are no objections to the now 21 exhibits

1 that are in front of the Board to consider.

2 So I'm also assuming that there are -- that,  
3 Ms. Kellogg, you do not object to the hearing on the  
4 matter for the merits in front of this Board today?

5 ASSISTANT ATTORNEY GENERAL KELLOGG: No objection.

6 CHAIRPERSON PREZEAU: No objection. Excellent.

7 So if you would be kind enough, Ms. Kellogg, we would  
8 love to hear you present your case in the matter of the  
9 intent to suspend the general administrator certificate  
10 for Mr. Razumovich.

11 ASSISTANT ATTORNEY GENERAL KELLOGG: Thank you.

12 My first witness and only witness will be Faith  
13 Jeffrey. Did you wish to swear her in or ...

14 CHAIRPERSON PREZEAU: We do need to swear her in, and  
15 Milton Vance, our court reporter, is more than capable of  
16 doing that.

17 So Mr. Vance.

18

19 \* \* \* \* \*

20

21 FAITH JEFFREY, having been duly sworn by the court  
22 reporter, testified as follows.

23

24 CHAIRPERSON PREZEAU: Thank you, Milton.

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BY MS. KELLOGG:

Q Can you state your name and spell your last name please.

A Faith Jeffrey -- J-E-F-F-R-E-Y.

Q Are you employed with the Department of Labor and Industries?

A Yes, I am.

Q How long have you been with the Department?

A I've been with the agency 26 years. I've been with the electrical program 20 years. Prior to coming to the agency, I obtained a bachelor's degree in accounting. Since coming to the agency, I obtained the advanced state certified certification for investigator.

CHAIRPERSON PREZEAU: Faith, could you possibly speak a little bit louder or move the microphone closer? That would be great.

A (Continuing) Building inspector certification, and certified fraud examiner.

Q What are your duties?

A I wear two hats basically in my position. I have a central office function as the compliance technical specialist. And I have a field function as ECORE and audit manager and direct supervisor.

1 Q What is ECORE?

2 A ECORE is a small group of fraud specialists. They're  
3 lead electrical inspectors. Their positions were  
4 granted by the legislature to -- their sole function  
5 is to combat the underground economy.

6 Q Are you familiar with Vladislav Razumovich?

7 A Yes.

8 Q And who is he?

9 A Mr. Razumovich is a general administrator, and he has  
10 been assigned to four electrical contractor licenses  
11 and owned three electrical -- of those electrical  
12 contractor licenses, he's been a principal member of  
13 three of them.

14 Q When did he get his administrator certificate?

15 A He obtained the general electrical administrator  
16 certificate on January 12, 2012.

17 MS. KELLOGG: I'll direct the Board to Exhibit  
18 Number 1.

19 BY MS. KELLOGG: (Continuing)

20 Q Has Mr. Razumovich been an administrator for other  
21 companies?

22 A Yes. He's been the assigned administrator for four  
23 electrical contractor licenses and is currently  
24 assigned to Integrity Electric Lighting Group.

25 Q And what were the prior companies that he was with?

1 A He was assigned two licenses that Ample Electric  
2 Group held. They had a contractor license as a  
3 residential contractor, contractor license as a  
4 general electrical contractor, and A & G Electric he  
5 was assigned to, and now currently assigned to  
6 Integrity Electric and Lighting Group.

7 Q Were you involved in the determination of whether  
8 Mr. Razumovich would be suspended?

9 A Yes.

10 Q In what way were you involved?

11 A As part of my central office function as a compliance  
12 technical specialist, I review all citations that are  
13 going to appeal as final sign-off before they go to  
14 Office of Administrative Hearings. And I get  
15 notified when we see continuing non-compliance by the  
16 citation processing group. I'll get a notification  
17 from them to take a deeper look into a company to see  
18 what's going on, strategize on how we can get them in  
19 compliance. And as part of that function I was  
20 alerted to this company.

21 Also, Rand Jones, ECORE, is a direct report of  
22 mine, and he did a very large investigation into  
23 early 2015 of the business practices of Ample  
24 Electric and A & E Electric and Integrity and  
25 uncovered a large amount of non-compliance.

1           So Rand said -- I was peripherally aware of his  
2           investigation and the outcome, and then it came back  
3           on my desk as an alert from the citation processing  
4           group.

5    Q       So did you do research then into Mr. Razumovich and  
6           into the firms?

7    A       Yes, I did. Then I -- it takes quite a bit of time  
8           once I got that alert from the citation processing  
9           group. They notify me at sixty offense -- excuse me.  
10          They notify me at a fifth offense to take a look.

11          And I start my own investigation. I check to  
12          see if the citations that other inspectors have  
13          issued were accurate, if they had compelling  
14          evidence. I check to see how long the companies have  
15          been in business, how long the administrator's been  
16          assigned, and in this case how long the administrator  
17          has held the certificate, how many -- how big a  
18          company it is, how many employees they have, is it a  
19          huge company where one or two citations may be  
20          expected for failing to obtain a permit where we  
21          would issue warnings or a citation, or is it just a  
22          small company that has very few or no employees and a  
23          large number of infractions/citations quickly. I  
24          look to see if the company is improving from when we  
25          made compliance contact with the firm and give them

1 notice and opportunity to correct if they had that  
2 and then correct it and now I'm looking at it. Let's  
3 see. I read the inspectors' statements for  
4 indications the company's made a mistake and going to  
5 correct, or if they've just blown off the inspector  
6 and are going to continue doing business. I look to  
7 see -- in Vlad's case, he had several companies in  
8 quick succession that he was in ownership of, and  
9 several administrator assignments in quick succession  
10 since he received his administrator certificate. A  
11 very short period of time, a very large number of  
12 violations.

13 So those are the kind of things that I'm looking  
14 at when I'm doing research.

15 Q So you indicated that you get a trigger to take a  
16 look at whether or not to suspend an administrator.  
17 Can you tell us about the trigger?

18 A The electrical program has taken a desk manual and  
19 changed it into the Lean management standard work.  
20 And the desk manual's now all flow charts.

21 And in this particular procedure when I get a  
22 fifth-offense alert from the citation processing  
23 group -- this particular procedure is settlements,  
24 penalty reductions and suspensions effective January  
25 15, 2014. And this is from the Chief. This is the

1 Chief's standard operating procedures for us. And on  
2 here at fifth offense, I'm to draft a one-year  
3 intent-to-suspend letter if my research and history  
4 shows that I should recommend that.

5 And at sixth offense, it says to draft a two-  
6 year intent-to-suspend letter when my research shows  
7 that that should be done.

8 And in this case, Integrity -- when I got the  
9 alert at fifth offense, but very rapidly after that  
10 they were already at sixth and seventh offense, so my  
11 research indicated and the flow chart indicated that  
12 I should go ahead and issue a recommendation for an  
13 intent to suspend for two years.

14 Q When you say "offense," what does that mean?

15 A The WAC has an escalated penalty structure in ...  
16 296-46B-915? I always have to look. Yeah, 915, the  
17 civil penalty schedule. The escalated penalties in  
18 the WAC schedule names it first offense, second  
19 offense, third offense, and then offenses -- each  
20 offense thereafter. It uses the word "offense." In  
21 our database, in our computer system, it uses the  
22 word "occurrence" which is synonymous with offense.  
23 It follows the penalty schedule in WAC.

24 It's in Exhibit -- Exhibit 17, page 1, you'll  
25 see a printout that I made of our database for Vlad

1 Razumovich of his general administrator certificate.  
2 This is his violator history report for -- there's  
3 a time frame up there. 4/1/2013 through March 31,  
4 2016. And as you look across the columns, you'll see  
5 ticket number, name, law/rule, violation description,  
6 penalty amount, and then "occur." That means  
7 occurrence. In our database, it calls it an  
8 occurrence. In the WAC penalty schedule, it calls it  
9 an offense.

10 So on that first line, that first row, you see  
11 occurrence 1. That's a first offense for that law  
12 and rule on that row. So occurrence and offense is  
13 synonymous.

14 Q So when you're saying offense or occurrence, you're  
15 talking about the same violation that has occurred  
16 six or seven or five times?

17 A Correct. It has to be exactly the same law and rule  
18 and exactly the same type of violation. Like a  
19 19.28.061(5)(d) violation, there can be several  
20 things that are included in that violation. I call  
21 them different flavors of the violation. No permit  
22 or failing to request an inspection or failing to  
23 provide supervision, failing to ensure inspections  
24 are obtained or failing to ensure ratio at a job site  
25 is maintained. An administrator may have the same

1 law/rule violation, but there are different types  
2 within that. So when we escalate a penalty, we're  
3 very careful to make sure that it isn't just a  
4 19.28.061 violation for an administrator, that it's  
5 exactly that same type, permit for a permit, failing  
6 to supervise for failing to supervise. We're very  
7 careful not to escalate penalties for a no permit  
8 unless there's a prior no-permit penalty that's  
9 final. So we're very sure in tracking exactly what  
10 type of administrator violation occurred.

11 So when we get on this Exhibit 17, page 1, the  
12 ticket number EHOGG00544 that's listed as seventh  
13 offense, that will be the seventh offense that is  
14 exactly that same type of administrator violation.

15 Q So after your research, what was your recommendation  
16 to the Chief?

17 A I went ahead and I did recommend the two-year  
18 suspension and drafted the recommendation and drafted  
19 the intent-to-suspend letter for his review.

20 Q Okay. So the two-year suspension would be for the  
21 sixth offense?

22 A Correct.

23 Q And had the sixth violation come in prior to issuing  
24 the notice?

25 A Yes, several months before.

1 Q So what was the basis for your recommendation to  
2 suspend?

3 A When I looked at the history -- Vlad's history, he  
4 had a short amount of time that he owned the  
5 certificate. He had a rapid succession of companies  
6 that had literally died. They have so many citations  
7 sent to collections that they couldn't be renewed as  
8 electrical contractor licenses. The Department would  
9 have refused to renew them. So he would just start a  
10 new company. I didn't see any improvement in  
11 behavior. In fact, it was getting worse. He was  
12 receiving more penalties year over year. The  
13 penalties, he wasn't paying them. They were just  
14 going off to collections -- external collections. He  
15 was not only not paying them, he was appealing them.  
16 He was just ignoring them and off they'd go to  
17 collections.

18 I took a look at his prior companies. Integrity  
19 Electric, A & G, Ample Electric. Integrity Electric  
20 had no employees and 62 L & I permits since it got  
21 its license to the end of 2015 when I was doing my  
22 research.

23 CHAIRPERSON PREZEAU: Ms. Jeffreys, how would  
24 you substantiate -- or where do you get the  
25 information that Integrity Electric had no employees?

1           Could you elaborate on that please.

2           THE WITNESS: Yeah, I brought that document with  
3 me. It's not part of your packet.

4           But I ran the Employment Security report for  
5 Integrity Electric. They don't even have an account  
6 at Employment Security.

7           CHAIRPERSON PREZEAU: So I do believe it is  
8 Exhibit -- Ms. Kellogg, I believe it's Exhibit 18  
9 that maybe, Ms. Jeffreys, what you might be referring  
10 to?

11          ASSISTANT ATTORNEY GENERAL KELLOGG: No.

12          THE WITNESS: No, ma'am. That is -- Exhibit 18  
13 is Vlad's personal Employment Security record. And  
14 it shows that he's worked -- this was also part of my  
15 consideration. He works full-time at McKinstry, and  
16 he's an assigned administrator for Integrity  
17 Electric. He's -- when he was assigned administrator  
18 for Ample Electric and A & G, he worked at Prime  
19 Electric full-time.

20          In the inspector's statements in Exhibit --  
21 let's see. If you look at Exhibit 8, page 2, in the  
22 inspector's statement, Roman Boyarchuk and Vladislav  
23 Razumovich are primarily the company general  
24 principals. Roman is an expired trainee and so is  
25 Vlad. So in this inspector's statement, the

1 inspector is talking to Roman who's an owner of the  
2 company. Roman said the administrator was not  
3 available when the inspector asked to talk to the  
4 administrator. Then again -- and he's not available;  
5 he's working full-time somewhere else.

6 Then again, Exhibit 9, page 2, Vlad -- this is  
7 the inspector questioning Vlad on page 2. Not the  
8 very last paragraph; the paragraph directly above  
9 that. "An email Chris Johnson sent to Vlad" -- that  
10 begins that sentence. Okay, in these answers, Vlad  
11 wrote that he was working very part-time for A & G  
12 Electric. "I work at Prime Electric." He admits  
13 that to the inspector.

14 And then again, Exhibit 9, page 5, the very last  
15 sentence. This is the inspector e-mail exchange.  
16 "In the email exchange, Vlad used e-mail address  
17 VladR@McKinstry.com to have this conversation and  
18 signed his message "Vlad Razumovich, Electrical  
19 Project Manager (sic) with a desk number" -- and he  
20 lists out the desk phone numbers. Those are for  
21 McKinstry.

22 CHAIRPERSON PREZEAU: And these inspector  
23 statements are in conjunction with citations given to  
24 him while he was the administrator of Integrity  
25 Electric?

1 THE WITNESS: Rand's -- these -- Rand's  
2 investigation covered three of these companies: A & G  
3 Electric, Ample Electric, and Integrity.

4 That same page, Exhibit 9, page 6, the paragraph  
5 that begins, "I then called 425," it's like --

6 CHAIRPERSON PREZEAU: It's in the middle.

7 THE WITNESS: Yeah, it's in the middle.

8 The third sentence -- second sentence, "In this  
9 conversation Vlad told me that he works for A & G  
10 Electric Inc. maybe 12 to 16 hours a month and that  
11 he gets paid once a month with a check."

12 So as part of my consideration, Vlad's not  
13 fluent in these company operations. He's not giving  
14 appropriate administrator oversight.

15 We rely on the administrator to ensure that the  
16 company complies with the statutes and the WAC's and  
17 be fluent in company operations.

18 So anyway, back to my -- part of my  
19 consideration was Integrity has no certified  
20 employees. The owners are expired trainees, and an  
21 administrator that works somewhere else. And they  
22 have 62 permits. So it begs the question, What  
23 certified worker did the work?

24 Same thing with his prior A & E Electric.

25 There's no employees, two trainees in ownership, and

1           61 L & I permits.

2           So as I'm looking through these things, we have  
3 a total in Department records of 99 job-site  
4 violations on the books finally, six quarters of  
5 absentee administrator. He's getting worse. In 2013  
6 he got two citations finally. In 2014 he got three.  
7 And in 2015 he's got nine. And 2016 he's gotten more  
8 that are currently on -- so I had no indication that  
9 our escalated penalties strategy was working where we  
10 do warnings, then we issue citations, and we double  
11 the penalty, issue citations, which a lot of these  
12 are serious double-penalty violations of trying to  
13 get their attention. Nothing was working.

14           So our next graduated step of compliance action  
15 is the suspension.

16           So that's -- for those number of reasons that  
17 our escalated penalty strategy was having no  
18 consequential effect in changing Vlad's behavior. So  
19 I did the recommendation for the two-year suspension.

20 BY MS. KELLOGG: (Continuing)

21 Q       Is there also a requirement that an administrator be  
22 available when an inspector is on the site in order  
23 to address whatever issues?

24 A       Yes. In 19.28.061, part of the administrator duties  
25 besides ensuring the company follow the laws and the

1 rules is being available during working hours. And  
2 the inspectors rely on that administrator very  
3 heavily. An electrical contractor license can't  
4 exist without an assigned administrator. As a new  
5 company you can't have a new company without an  
6 administrator assigned to it. If an administrator  
7 terminates their relationship with the company, the  
8 Department's notified, and we start a 90-day clock  
9 ticking. The firm has 90 days to find a qualified  
10 administrator or the Department suspends that  
11 electrical contractor license. By statute we're  
12 required to. Literally an electrical contractor  
13 license can't exist for more than 90 days without an  
14 assigned administrator. The only exception to that  
15 is if the administrator dies, then they have 180 days  
16 to find a qualified administrator.

17 Q So what role does the administrator serve with an  
18 electrical contractor?

19 A They're to ensure that the company follows the laws  
20 and rules. They're to be fluent in company  
21 operations. They're our point of contact.

22 I didn't mark them, but in a number of inspector  
23 statements in the exhibits, the inspector's note that  
24 when they try and call Vlad, there's no voicemail  
25 setup. So there's no way to leave Vlad a message.

1 Q You had mentioned that there were a number of  
2 citations in collection status, and I believe Exhibit  
3 19 which is the notice of intent to suspend a general  
4 administrator certificate indicates that at the time  
5 the notice was issued on February 8, 2016, there were  
6 \$23,900 in penalties, fees and interest that were in  
7 collection status. Was this a factor that you  
8 research or considered?

9 A I considered it not necessarily the large dollar  
10 amount, but the number of job sites and violations  
11 that that dollar amount represents. We have 99 job  
12 sites that are a problem that I know about that we've  
13 actually taken Department action against.

14 CHAIRPERSON PREZEAU: That are associated with  
15 the appellant?

16 THE WITNESS: Yes, yes.

17 A (Continuing) What I noticed is he doesn't appeal  
18 until these last 60 days he started to file appeals  
19 to citations. But in the three years since he's held  
20 his certificate, he would just ignore them. He  
21 didn't try to appeal them. He didn't try and pay  
22 them. He didn't try and set up a payment plan with  
23 the Department. Nothing. So they went off to  
24 external collections. And just racking up dollar  
25 penalties isn't our intent. Our intent is to get

1           them to comply and follow the laws and rules.

2           CHAIRPERSON PREZEAU:  Mrs. Jeffreys, do you --  
3           your focus of Mr. Rand's -- or Rand's investigation  
4           of the three companies that were associated with the  
5           appellant and his general administrator certificate  
6           and your independent investigation, which focuses on  
7           a three-year period, right?

8           THE WITNESS:  Correct.

9           CHAIRPERSON PREZEAU:  Do you have an  
10          understanding of the total number of times the  
11          administrator has been cited in that three-year  
12          period?

13          THE WITNESS:  In your exhibit is a violator  
14          history report.  Total number of times in that  
15          three-year period?

16          CHAIRPERSON PREZEAU:  Uh-huh.

17          THE WITNESS:  In the -- there's a violator  
18          history report, Exhibit 17.  I have one citation for  
19          six quarters of absentee administrator, seven  
20          citations that represent 37 job sites for no permit,  
21          one citation that represents 44 violations for  
22          failing to request an inspection, and two citations  
23          that represent ten job sites for failing to supervise  
24          trainees.  So that's --

25          CHAIRPERSON PREZEAU:  And in those individual --

1 in those ten job sites it's potentially possible to  
2 have more than one unsupervised trainee.

3 THE WITNESS: Yes, that's correct.

4 ASSISTANT ATTORNEY GENERAL KELLOGG: There's  
5 also one citation, if I might add, if you can take a  
6 look at Exhibit Number 13.

7 ASSISTANT ATTORNEY GENERAL REULAND: Can I  
8 interject if I could?

9 Board members, you are to only consider the  
10 exhibits that have been marked and admitted in this  
11 matter, which are Exhibits 1 through 21. If there's  
12 additional information in your Board appeal packet,  
13 unless that is offered and admitted, you should not  
14 be considering that for purposes of this hearing.  
15 All right?

16 The Board -- as I indicated in the beginning,  
17 the appeal packet wasn't put together quite in the  
18 format for an original hearing. So at this point in  
19 time you can consider Ms. Jeffrey's testimony and the  
20 exhibits only that have been admitted.

21 ASSISTANT ATTORNEY GENERAL KELLOGG: Excuse me.  
22 That would be Exhibit 9, page 16.

23 ASSISTANT ATTORNEY GENERAL REULAND: You can  
24 certainly ask questions for purposes of evidence.

25 BOARD MEMBER BAKER: Well, I have a question

1           then.

2           CHAIRPERSON PREZEAU:   Go ahead, Don.

3           BOARD MEMBER BAKER:   So the Board packet that I  
4           have here on page 14 I shouldn't consider the ...

5           CHAIRPERSON PREZEAU:   You should not consider  
6           the recommendation for suspension --

7           BOARD MEMBER BAKER:   Well, it's not the  
8           recommendation.  It's the 330 --

9           CHAIRPERSON PREZEAU:   That's what I -- it is not  
10          an exhibit that has been proposed by the Department  
11          through their attorney.  It is not for consideration.

12          ASSISTANT ATTORNEY GENERAL REULAND:  So if  
13          Ms. Kellogg wishes to elicit that testimony, that  
14          would be up to Ms. Kellogg and the Department to  
15          present that either in oral testimony or in some kind  
16          of -- (inaudible).

17          CHAIRPERSON PREZEAU:   Vice Chair Phillips.

18          BOARD MEMBER PHILLIPS:  So a question.  Can we  
19          ask questions in reference to that?  Or we need to  
20          just totally disregard that?

21          ASSISTANT ATTORNEY GENERAL REULAND:  Correct.  
22          You may ask questions regarding any of the testimony  
23          or the exhibits, --

24          BOARD MEMBER PHILLIPS:  Got'cha.

25          ASSISTANT ATTORNEY GENERAL REULAND:  But you

1 need to disregard that piece as evidence.

2 BOARD MEMBER PHILLIPS: Understood.

3 CHAIRPERSON PREZEAU: Unless and until it is  
4 entered into the record.

5 BOARD MEMBER PHILLIPS: Thank you.

6 CHAIRPERSON PREZEAU: Dominic, does that answer  
7 your question?

8 BOARD MEMBER BURKE: It does. I just didn't  
9 have my WAC book to ...

10 CHAIRPERSON PREZEAU: I have my WAC book. You  
11 can ...

12 Ms. Kellogg, do you -- before the Board members  
13 had questions you were asking us to call our  
14 attention to Exhibit 9, page 16.

15 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes. Thank  
16 you.

17 Exhibit 9, page 16 is part of the matrix, and it  
18 shows citation ending in 586. And you'll see that's  
19 for failing to ensure proper supervision.

20 CHAIRPERSON PREZEAU: And there was 13  
21 instances --

22 ASSISTANT ATTORNEY GENERAL KELLOGG: 13  
23 instances there.

24 CHAIRPERSON PREZEAU: -- associated with that  
25 one citation.

1 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes.

2 BY MS. KELLOGG: (Continuing)

3 Q So it looks like there are lumps of citations. So  
4 for Mr. Razumovich in regards to failing to ensure  
5 that permits were taken out, how many citations were  
6 there and for what specific number of incidences or  
7 addresses?

8 A I misspoke earlier on the numbers. There is -- on no  
9 permit, there is seven citations, 37 job sites. I  
10 think I said one. But there's seven citations, 37  
11 job sites. Failing to request an inspection: seven  
12 citations, 44 job sites. Supervision: two  
13 citations, ten job sites. And uncertified workers:  
14 one citation, 13 job sites. And absentee  
15 administrator: one citation for six quarters.

16 So how we do that with this multiple job sites  
17 is we'll issue one citation that represents these six  
18 quarters. The sixth violation represented by that  
19 one citation, and that citation amount is multiplied  
20 by the six job sites it represents or six quarters it  
21 represents.

22 Q Does the Department have authority to issue a  
23 citation for each address?

24 A Yes, we can issue a citation for each address and  
25 each day of violation. So for this absentee

1 administrator, we took a very light touch. In all  
2 the cases, we took a very light touch. Instead of  
3 issuing daily, we issued one per quarter, one for  
4 every three-month time period we issued a violation.

5 ASSISTANT ATTORNEY GENERAL KELLOGG: Nothing  
6 further.

7 CHAIRPERSON PREZEAU: So Ms. Jeffreys, it's my  
8 understanding if I can characterize your testimony as  
9 being -- from my own processing, the appellant,  
10 Mr. Razumovich received his general journeyman's  
11 certificate -- or excuse me -- his general  
12 administrator certificate it's noted in the record in  
13 January of 2012. And the official record I believe  
14 indicates that the first citation that you started  
15 reviewing, the infraction citation violator history  
16 report which is Exhibit 17 indicates a -- you looked  
17 at the appellant's violation citation history  
18 beginning in April of 2013. So if I do that math  
19 correctly, 13 -- roughly 13 months after he becomes  
20 an administrator you see violations citations. So 13  
21 months after becoming an administrator was his first  
22 citations.

23 And then you characterized it in such a way that  
24 the violations increased in frequency and severity as  
25 you move away from that April 2013 date and move into

1 2014/2015, and that he not only admits that during  
2 his tenure at least two of the -- his tenure as an  
3 administrator for at least two of the electrical  
4 contracting firms that his administrator's license  
5 was associated with, he was a full-time employee of a  
6 separate company by his own admission.

7 And additionally, the record and your testimony  
8 seems to indicate that he -- if my memory serves me  
9 correctly, you testified that during his tenure at  
10 Integrity Electric that he had no employees but a  
11 substantial number of Department of Labor and  
12 Industries electrical permits. And in the record,  
13 Exhibit 9, page 6 of Exhibit 9 indicates that --  
14 reading from the second paragraph -- "Ample Electric  
15 Group Inc. employed multiple electricians and  
16 electrical trainees in the (first) and (second)  
17 Quarters of 2013, but did not report any employees  
18 after the (second) Quarter. Vlad Razumovich was  
19 reported as a full-time employee of Ample Electric  
20 Group ... in the (first) and (second) Quarters of  
21 2013 only.

22 "A & G Electrical Inc had set up an" -- and I'm  
23 assuming ESD is Employment Security Department?  
24 That's what that acronym is? -- account but had not  
25 reported any employees. Integrity Electric (and)

1 Lighting Group ... had not set up an ESD account.

2 "Vlad Razumovich was employed full-time by Ample  
3 Electric Group Inc. in the (first) and (second)  
4 Quarters of 2013, was employed by Prime Electric Inc  
5 and/or Quality Dental and Denture Care, Inc. from the  
6 (third) Quarter of through the (fourth) Quarter of  
7 2014, and was employed full-time by McKinstry  
8 (Company) LLC in the (first) Quarter of 2015."

9 In your -- remind the Board members, Faith, how  
10 long have you worked at the Department of Labor and  
11 Industries electrical division?

12 THE WITNESS: 20 years.

13 CHAIRPERSON PREZEAU: How long have you been  
14 associated with the processing and ensuring  
15 accountability and validity of citations and  
16 infractions?

17 THE WITNESS: 20 years.

18 CHAIRPERSON PREZEAU: In your opinion, could you  
19 characterize the level of infractions that you have  
20 documented or overseen in this particular appellant?

21 THE WITNESS: I have not seen an administrator  
22 accumulate so many citations in such a short period  
23 of time since -- in the time he's been a certified  
24 administrator, he has a very large number of  
25 citations, and they're continuing to increase year

1 over year. I haven't seen anything like this, which  
2 has played into my recommendation for the two-year  
3 suspension.

4 CHAIRPERSON PREZEAU: Any questions from the  
5 Board members for either Ms. Kellogg or Ms. Jeffrey?

6 BOARD MEMBER SCOTT: I don't know if this makes  
7 any difference or not on this exhibit list. But it  
8 looks like 3 and 4 are actually warnings; they're not  
9 citations. I don't know if that makes a difference  
10 or not.

11 CHAIRPERSON PREZEAU: Are you looking at the  
12 exhibit list?

13 BOARD MEMBER SCOTT: Exhibit list, yeah.  
14 Looking at numbers 3 and 4 which ends in citation  
15 number 213 and citation number 911. Those looks like  
16 warnings, not citations. But I don't know if that  
17 makes any difference or not for the record.

18 So you'd have to go --

19 CHAIRPERSON PREZEAU: Yeah, in fact, you can  
20 actually see that declaration in Exhibit 19, page 2,  
21 if you look through the --

22 BOARD MEMBER SCOTT: Yeah, its' on the list.

23 CHAIRPERSON PREZEAU: Yeah. But it's just  
24 calling attention -- if you look at citation ending  
25 in 911, it says "Inspector Issued Warning."

1 ASSISTANT ATTORNEY GENERAL KELLOGG: Which I had  
2 a question for the witness about how warnings are  
3 considered in this particular process.

4 BOARD MEMBER SCOTT: Yeah, is there a difference  
5 between I guess the citation and the warning?

6 THE WITNESS: Yes. I'll point you back to  
7 Exhibit 17, the violator history report, page 1 --  
8 there's two pages, page 1 and page 2.

9 You'll see the warnings are listed. For  
10 instance, the second row is ticket number ECOXE00911  
11 issued to Vlad for an administrator violation, you  
12 see the penalty amount is zero dollars? And the  
13 occurrence is zero.

14 Warnings aren't counted. It's part of our  
15 escalated penalty structure of trying to give them  
16 notice and opportunity to correct their behavior or  
17 their business practices.

18 Warnings are issued on our -- typically on our  
19 first contact for a problem. And again, whether we  
20 issue a warning or a citation is dictated in our  
21 standard work. The inspectors have a flow chart. If  
22 it's this violation, you issue a warning. If it's  
23 this violation, you issue a citation. And there's  
24 even a time frame built into that. If it's this  
25 violation and they haven't had any of that exact same

1 violation in the past year, you issue a warning. So  
2 on some violation types, they'll get a warning once a  
3 year before we would move to a citation. So a  
4 warning is a heads up. It doesn't count in the  
5 penalty scheme. There's no monetary penalty. It has  
6 a zero occurrence count.

7 So then our next step if we haven't gotten their  
8 attention and they have another violation in that 12  
9 months, then we move to a citation.

10 So it's part of this notice. He's had plenty of  
11 notice. There were several warnings in this violator  
12 history report.

13 And this report is for a three-year time period  
14 that I ran this report for.

15 So that answers your question, Madam Chair, how  
16 many violations and warnings in the three years?  
17 It's in this violator history report. It just  
18 doesn't represent the 99 job sites that --

19 CHAIRPERSON PREZEAU: And that was really my  
20 question is basically like in this time period,  
21 recognizing that the citations themselves are  
22 relevant to these 99 job sites if you could total the  
23 number of infractions. But I don't know that that's  
24 -- that that number is necessary.

25 Okay, let's go to Dominic, and then I'll go to

1 Don.

2 BOARD MEMBER BURKE: So 296-46B-990 gives the  
3 Department the determination on suspension or  
4 revocation, and in here it defines serious  
5 non-compliances, you know, meaning three citations in  
6 a three-year period.

7 I guess at what point would revocation take  
8 place to the Department? Because it doesn't define  
9 where that level is. And I'd be curious to know.  
10 Because it sounds like based on your Lean method, you  
11 have something established from the Chief. But I  
12 mean, here's a serious non-compliance, you know, that  
13 continues, and it gives the Department the  
14 opportunity to make that determination. I guess is  
15 it fair to ask when does that take place or what is  
16 the level that the Department has for that process?

17 CHAIRPERSON PREZEAU: Are you asking when  
18 actually the revocation would be dated? Is that what  
19 you're asking?

20 BOARD MEMBER BURKE: No, not at all. How many  
21 citations or what level -- you know, there's six or  
22 seven in the Lean process that triggered the two-year  
23 suspension. But, you know, I'd be curious to know at  
24 what level is the revocation on that Lean process.  
25 Because you have somebody who by definition in the

1 WAC and RCW is in serious non-compliance. And so it  
2 would be I think good for the Board to know where the  
3 Department draws the line on revocation.

4 CHAIRPERSON PREZEAU: Ms. Jeffrey, are you able  
5 to answer that question?

6 THE WITNESS: Yes. In our Lean flow chart,  
7 there is not a step for revocation so far. It ends  
8 at sixth offense. Greater than sixth offense --  
9 excuse me -- I'm to draft a three-year intent to  
10 suspend. So I would be doing that if I hadn't  
11 already drafted the two-year intent-to-suspend letter  
12 in March. Because now we're at seven. However, I  
13 believe you have the option of doing that.

14 When I was testifying last time I did a  
15 suspension here before the Board, I had done a  
16 recommendation of a two-year suspension that the  
17 Chief signed. The Board elected at that appeal  
18 hearing to increase it to a four-year suspension from  
19 the proposed two-year. It's up to you.

20 BOARD MEMBER BURKE: My follow-on question is:  
21 At the end of whatever the suspension is -- two,  
22 three, four years -- would it require a retest for an  
23 individual who obviously needs an education? Or can  
24 they keep up on their CEU's, and then after they do  
25 their suspension they can just reinstate their

1 license?

2 CHAIRPERSON PREZEAU: Can you speak to that,  
3 Ms. Jeffrey?

4 THE WITNESS: There's a little bit of conflict  
5 in that answer. I can't answer that at this point.  
6 There is statute that says we will actually -- excuse  
7 me -- that says we'll renew a administrator  
8 certificate if the prior certificate isn't suspended  
9 or revoked. But then there's another piece of this  
10 WAC that talks about how they can renew. If they're  
11 suspended, they can go ahead and renew. And the  
12 Department will renew them into suspended status, but  
13 when they come out of suspension, they have to give  
14 us all of their CEU's and pay the fees to get  
15 reinstated. So those two pieces of WAC are in  
16 conflict. And I'm hoping to clear that up with WAC  
17 proposals when the WAC is open hopefully this next  
18 year.

19 BOARD MEMBER BURKE: But neither one requires a  
20 retest?

21 THE WITNESS: The first one sounds like it  
22 would. Because it says you can't renew -- our you  
23 can renew if you are not revoked or suspended. So if  
24 you can't renew, that means you have to retest. So  
25 I've got to clear that up with our counsel.

1 BOARD MEMBER BURKE: Thank you.

2 CHAIRPERSON PREZEAU: So Don had his hand up,  
3 and then we'll go to Rod.

4 BOARD MEMBER BAKER: Just curious. A lot of  
5 suspension over three years, 90 jobs. Do we have a  
6 record of how many inspectors wrote those citations?  
7 Do we know if it was just -- well, I just -- for the  
8 record, I want to know whether it just one inspector  
9 or ...

10 THE WITNESS: Yeah. And thank you for bringing  
11 that up. That was part of my consideration too is I  
12 also look to see if it's one inspector -- and forgive  
13 me for using the words --but just hounding a company,  
14 you know, they just always come across this company  
15 to see if maybe there is bias or harassment -- not  
16 that that ever happens, but it's part of my  
17 consideration to be fair and reasonable to the  
18 certificate holder I'm researching. And in this  
19 case, it is ten different inspectors from Thurston  
20 County to Everett to Yakima. And that also surprised  
21 me is ten inspectors over a wide geographic area.  
22 That is not bias or harassment by the Department  
23 against one small business.

24 BOARD MEMBER BAKER: Thank you. That's really  
25 important I think to have that on the record.

1           CHAIRPERSON PREZEAU: How many regions --  
2 Department regions does that cover?

3           THE WITNESS: Let's see. It covers regions 1,  
4 2, 3, 4 and 5 of our six regions.

5           CHAIRPERSON PREZEAU: Great.

6           I have one question before I go over here to Rod  
7 and Janet, which is -- so I just want to clarify,  
8 Ms. Jeffrey, it's my understanding the way this  
9 process works is in the event that somebody's  
10 administrator certificate is suspended for a period  
11 of time, in order -- regardless of the duration when  
12 they wanted to move it from suspended to active  
13 status, one of the requirements to your understanding  
14 is that they would have to pay all outstanding  
15 citation fees associated with their certificate prior  
16 to it being placed in an active status. Is that  
17 true?

18          THE WITNESS: That is correct, unless they file  
19 bankruptcy, then our hands are tied on Chapter 13  
20 bankruptcy. And we do have several of those in our  
21 office right now. And our hands are tied at that  
22 point. And we have to allow them to test or renew  
23 certificates or licenses. It's very frustrating.

24          But the statute as written does stop him from  
25 obtaining another license or another certificate or

1 reassigning the administrator assignment or  
2 reinstating an electrical contractor license or  
3 renewing the electrical contractor license or  
4 renewing his administrator certificate until the  
5 citations that are final judgements, all those that  
6 are in collection status are paid in full, except for  
7 bankruptcy.

8 CHAIRPERSON PREZEAU: Okay. So Rod and then  
9 Janet.

10 BOARD MEMBER BELISLE: I'm not sure I have a  
11 question anymore. I'm reading 19.28.211 regarding  
12 renewal of certificate of competency, and it states  
13 that the person can renew as long as he's received  
14 their eight hours of continued ed unless the  
15 certificate has been revoked, suspended or not  
16 renewed within 90 days after the expiration date.

17 So I guess as an interpretation, if we're not  
18 clear about the revoked or suspended part, if the  
19 license were to be suspended say for a period of four  
20 years, that would go beyond the renewal time and then  
21 at the least they would have to retest again. Would  
22 that be accurate?

23 THE WITNESS: That's part of the conflict I was  
24 describing is in statute, that's correct, that we  
25 have a WAC that says they can renew in the suspended

1 status. So ...

2 BOARD MEMBER BELISLE: Can I ask how long they  
3 can be in suspended status?

4 THE WITNESS: As long as the suspensions lasts.

5 BOARD MEMBER BELISLE: So it could can be  
6 indefinitely.

7 THE WITNESS: I don't have an answer to that.  
8 I've never thought of an indefinite suspension.

9 BOARD MEMBER BELISLE: I guess I'm just thinking  
10 if his license was due to expire say July of this  
11 year and it was put into suspended status for three  
12 years, that means it would be beyond his expiration  
13 by two years. So at the end of that three-year  
14 period would it be likely that he would be able to  
15 just simply meet the CEU requirements and renew or  
16 would he have to retest? That's the question.

17 THE WITNESS: The Department practice now is  
18 that we would -- if he paid the money to renew, we  
19 would renew him into suspended status. And as long  
20 as he -- at renewal cycles, as long as he keeps  
21 paying those renewals, we'll keep renewing him into  
22 suspended status. And at the end of that suspension  
23 he has to pay the citations for the company and  
24 himself unless they're wiped out by bankruptcy and  
25 provide us with his CEU's. At that point we'd send

1 him an active administrator certificate unless it's  
2 revoked.

3 BOARD MEMBER BELISLE: Right. Thank you.

4 CHAIRPERSON PREZEAU: Janet.

5 BOARD MEMBER LEWIS: I think this question is  
6 partially dealt with in the chief inspector's letter,  
7 Exhibit 19, page 3 of 3. The second to the last  
8 paragraph talks about if you fail to pay the penalty.  
9 So I do think that the process is in Exhibit 19.

10 CHAIRPERSON PREZEAU: And the other thing that  
11 I would like to point out is in Exhibit 1 which is  
12 Mr. Razumovich's administrator certificate history,  
13 you can -- it indicates obviously that the expiration  
14 date is currently. And the other thing it does is it  
15 tells you his respective scores on the three sections  
16 of the exam. And I am certainly in this instant not  
17 100 percent convinced that -- well, I am 100 percent  
18 convinced that -- I am convinced that the appellant  
19 is aware of the response -- aware of 19.28 and  
20 296-46B and the administrator's responsibilities  
21 because he scored a 82 percent on Washington state  
22 laws and rules. So I can only assume since the  
23 appellant did not appear today that his breach of his  
24 -- willful and frequent breach of the Washington  
25 state laws and rules is exactly that, which is

1 willful.

2 Go ahead, Kevin, and then we'll hear from Bobby.

3 BOARD MEMBER SCHMIDT: I just want clarification  
4 on suspension and revocation. If he were to have his  
5 license revoked I guess --

6 CHAIRPERSON PREZEAU: Revoked.

7 BOARD MEMBER SCHMIDT: Revoked. Thank you.

8 Sorry.

9 Would he then have the ability to go back and  
10 take the test again and re-get an administrator  
11 certificate?

12 CHAIRPERSON PREZEAU: So Ms. Jeffrey, can you  
13 draw a distinction if there is one between suspension  
14 of a certificates and revocation of a certificate?

15 (Pause in proceedings.)

16 CHAIRPERSON PREZEAU: So while Ms. Jeffrey and  
17 Ms. Kellogg are searching for the clinical difference  
18 between revocation and suspension, our assistant  
19 attorney general has advised me that this Board  
20 should you be compelled to consider revocation of  
21 Mr. Razumovich's general administrator certificate,  
22 we would be -- we have no jurisdiction to do that  
23 because the appellant was not notified properly and  
24 timely of that action. The appellant was properly  
25 notified of the Department's intent to suspend. So

1 I want to make that very clear. Although, if  
2 Ms. Jeffrey has determined what the clinical  
3 difference is, we certainly would like to answer  
4 Kevin's question.

5 ASSISTANT ATTORNEY GENERAL REULAND: And I can  
6 just clarify that, Madam Chair. Under RCW 19.28.241,  
7 it says specifically under (3), "Before any  
8 certificate of competency shall be revoked, the  
9 holder shall be given written notice of the  
10 department's intention to do so."

11 So the problem that we have in this particular  
12 case is that the appellant was only given notice of  
13 the Department's intent to suspend his certificate  
14 for two years. That could factor into his decision  
15 to appear or not appear.

16 If the Department wishes to take further action  
17 in terms of a revocation, they would need to notify  
18 the appellant of that intent. Whether they can do  
19 that during this suspended period or bring it back  
20 before the Board, for instance, at the next meeting,  
21 I don't know whether that's legally possible. The  
22 Department would have to made that decision.

23 So I think the most the Board can do in this  
24 particular is perhaps send a recommendation to the  
25 Department in terms of maybe, hey, you know, to look

1 at.

2 CHAIRPERSON PREZEAU: So Kevin, do you have a  
3 follow-up question?

4 BOARD MEMBER SCHMIDT: Well, yeah. Based on  
5 that information then, because the intent was for a  
6 two-year suspension, does that mean that the Board  
7 could not consider a longer suspension based upon --

8 ASSISTANT ATTORNEY GENERAL REULAND: Correct.  
9 The appellant has to be notified and given the  
10 opportunity to appear.

11 I'm not aware of any provision in the statute.  
12 If the Department disagrees, it can point to some  
13 provision that would allow the Board to increase what  
14 the appellant was notified was going to happen.

15 ASSISTANT ATTORNEY GENERAL KELLOGG: I think the  
16 situation would be different had the appellant  
17 appeared. But since the appellant didn't appear, I  
18 think you're correct, he might have made a  
19 determination of whether to appear based on what he  
20 was notified of.

21 CHAIRPERSON PREZEAU: So for what it's worth, I  
22 think that -- you know, I think that if the Board  
23 decides to make a -- you know, take -- if the Board  
24 decides to uphold or overturn the intent to suspend  
25 -- we'll get there -- I am not compelled to believe

1 that the appellant will be -- I mean, I'm kind of an  
2 optimist, but I am not -- it's not clear to me that  
3 this action of intent to suspend will actually  
4 inspire the appellant to comply.

5 So Bobby, you had your hand up.

6 BOARD MEMBER GRAY: I did. My original question  
7 was already asked and answered. But I would like to  
8 compliment Ms. Jeffreys on her structured  
9 presentation and the obvious due diligence that you  
10 did in your investigation.

11 And then I would like to ask a follow-on  
12 question. If the decision is to revoke rather than  
13 suspend, would then the outstanding fines be  
14 neutralized or would there still be some legal  
15 vehicle for getting -- for the State to go after  
16 those outstanding citations and the money that's  
17 associated with those compared to the motive to come  
18 back into the industry with the assurance that those  
19 fines would be paid and the bills cleared?

20 THE WITNESS: The penalties stay on the record.  
21 And even if a penalty amount is discharged by  
22 bankruptcy, the penalties stay on the record on his  
23 certificate.

24 They've over at the private collection agency  
25 now -- AllianceOne who we have a contract with has a

1 very good collection record. They're at I believe it  
2 was 82 percent or 81 percent collection in the last  
3 few years. They do an excellent job.

4 Whether we do nothing, take no action to suspend  
5 or suspend or revoke has no effect on the penalties  
6 that are final.

7 An option that the Department does have is we  
8 still have several more on appeal. The sixth and  
9 seventh offenses are on appeal and are not final and  
10 are not part of this decision. They occurred --  
11 they're not final out if there's still allegations.  
12 So the Department has the option after those are  
13 final judgement, should we prevail, to come back with  
14 recommendation for revocation.

15 Does that answer your question?

16 BOARD MEMBER GRAY: It does. Thank you.

17 CHAIRPERSON PREZEAU: Any other questions? Don.

18 BOARD MEMBER BAKER: It looks like he's just a  
19 general 01 administrator. He's not a master. A  
20 suspension isn't going to affect an 01 journeyman  
21 license.

22 THE WITNESS: Correct. He's only a -- he's --  
23 gosh, I hate to use that word -- he's an expired  
24 trainee, and he has the general administrator  
25 certificate. He would not be able to renew the

1 trainee certificate without paying for his citations.

2 BOARD MEMBER BAKER: Okay. Thank you.

3 CHAIRPERSON PREZEAU: Any other questions from  
4 the Board? Alice.

5

6 Motion

7

8 BOARD MEMBER PHILLIPS: I'd like to make a motion to  
9 uphold the Department's recommendation to suspend Mr. --  
10 what was his name?

11 CHAIRPERSON PREZEAU: Razumovich.

12 BOARD MEMBER PHILLIPS: -- Razumovich --

13 ASSISTANT ATTORNEY GENERAL REULAND: Before we get to  
14 that point, Madam Chair, could I -- for purposes of the  
15 record, could we clarify that the Board packet that was  
16 provided in advance of this meeting from pages 14 through  
17 92 will be stricken from the record and not considered by  
18 the Board members. So for the purposes of this record --

19 CHAIRPERSON PREZEAU: Yeah, because obviously we're  
20 making a good record as Pam wants to ensure is that the  
21 Board members are using the identified and offered  
22 Exhibits 1 through 21 that were -- 1 through 20 were in  
23 the packet that was in front of Board members when you  
24 arrived today, and then through the exhibit process we  
25 also admitted Exhibit 21, which was the letter we sent to

1 the appellant with the intent to suspend and the  
2 corroborating or the supporting evidence that it was  
3 timely delivered to the appellant with notice of  
4 appearance and the process.

5 Also, I want to just indicate for the record that we  
6 started this original hearing at 17 minutes after 9:00  
7 a.m. And it is now 10:37, and the appellant still has yet  
8 to indicate that he has appeared.

9 Kevin, did you have a question?

10 BOARD MEMBER SCHMIDT: Yeah, actually I had two  
11 additional questions regarding those --

12 BOARD MEMBER PHILLIPS: Finish your motion.

13 CHAIRPERSON PREZEAU: Yeah. So there's a -- yeah,  
14 no, I got it.

15 So there is a motion in front of the body which is to  
16 approve the Department's intent to suspend the general  
17 administrator certificate for Vladislav Razumovich.

18 Is there a second?

19 BOARD MEMBER LEWIS: Second.

20 CHAIRPERSON PREZEAU: So there's a motion and second  
21 to approve --

22 BOARD MEMBER SCHMIDT: Can I get clarification?

23 CHAIRPERSON PREZEAU: Yeah, no. I'm just doing the  
24 process, the intent to suspend.

25 Questions? Kevin.

1 BOARD MEMBER SCHMIDT: Thank you. Sorry.

2 Regarding suspension, and I wanted clarification from  
3 my understanding is that during the suspension it's my  
4 understanding that he's not able to work within the  
5 electrical industry. Is that in any function or is that  
6 simply as an installation and/or administrator?

7 CHAIRPERSON PREZEAU: Ms. Jeffrey?

8 MS. JEFFREY: That's only as an assigned  
9 administrator.

10 BOARD MEMBER SCHMIDT: Only as an assigned  
11 administrator.

12 MS. JEFFREY: He'll still maintain his job at  
13 McKinstry.

14 BOARD MEMBER SCHMIDT: All right. That's what I  
15 wanted to know.

16 CHAIRPERSON PREZEAU: Rod.

17 BOARD MEMBER BELISLE: I'm curious if we can ask what  
18 his duties are at McKinstry and if they have anything to  
19 do with his electric or administrator certificate.

20 MS. JEFFREY: The only answer I can give you is back  
21 in Exhibit 9, page 6 where his title at McKinstry is  
22 electrical project engineer. And that was on March 30,  
23 2015. That's all I can tell you. And my employment  
24 record only goes up through the end of December 2015. It  
25 is entirely possible in the last four months he's no

1 longer at McKinstry. I'm only definite in the records up  
2 to 12/31/2015.

3 CHAIRPERSON PREZEAU: Thank you, Ms. Jeffrey.  
4 Dominic.

5 BOARD MEMBER BURKE: Within the motion, question:  
6 Pam mentioned that we vote on what's before us, but we can  
7 make recommendations. Does the recommendation happen  
8 during the motion or does it happen after this?

9 CHAIRPERSON PREZEAU: So if the question is -- or if  
10 your desire is to make a recommendation to the Department  
11 regarding additional sanction, I think it's best performed  
12 after we take action on the motion in front of us.

13 BOARD MEMBER BURKE: Thank you.

14 CHAIRPERSON PREZEAU: Any questions? Mike.

15 BOARD MEMBER NORD: Does the Board have the ability  
16 as part of this matter to make recommendation to the  
17 Department and to the Board secretary that McKinstry be  
18 advised of this action?

19 ASSISTANT ATTORNEY GENERAL REULAND: Again, that  
20 would be outside the motion process.

21 But I think the Board can make any recommendations to  
22 the Department that it feels -- it deems appropriate.

23 CHAIRPERSON PREZEAU: Any other questions regarding  
24 the motion? Just to remind folks, the motion in front --  
25 the motion and seconded is to approve the intent --

1 approve the suspension of the general administrator  
2 certificate for Vladislav Razumovich for a period of two  
3 years.

4 Any questions on the motion? Seeing none, all those  
5 indicate in the affirmative by raising your hand.

6 One, two, three, four, five, six, seven, eight, nine,  
7 ten, eleven. So that is eleven ayes.

8 And raise your hand if your vote is no.

9 Let the record reflect that it is a unanimous  
10 decision by this Board to uphold the suspension of the  
11 general administrator certificate for Vladislav  
12 Razumovich.

13

14 Motion Carried

15

16 ASSISTANT ATTORNEY GENERAL KELLOGG: Madam Chair, I  
17 have a final order to propose. Would you like me to read  
18 it? It's rather extensive. Or would you like to take a  
19 recess and consider it? Or how would you like to ...

20 CHAIRPERSON PREZEAU: So thank you, Ms. Kellogg.  
21 What I would like to do is when we do take a recess, if  
22 you would please provide that -- a copy of that final  
23 order to our Assistant Attorney General Pam Reuland, and  
24 we'll have her review it, and based on her recommendation  
25 this body will take appropriate action.

1 ASSISTANT ATTORNEY GENERAL KELLOGG: Thank you.

2 CHAIRPERSON PREZEAU: Thank you. So --

3 BOARD MEMBER BAKER: I have a question, Madam Chair.

4 CHAIRPERSON PREZEAU: Yes.

5 BOARD MEMBER BAKER: Since we've concluded an answer  
6 to this issue, is it possible to make a motion to the  
7 Board to recommend that notice be made to McKinstry, his  
8 current employer, of the action taken today?

9 CHAIRPERSON PREZEAU: So I don't know that we -- that  
10 our recommendations to the Department need to be in the  
11 form of motions.

12 I think -- you know, we certainly would be very  
13 clean. I think you and other Board members have some --  
14 and let's chat about this -- have some intent to  
15 potentially recommend to the Department additional  
16 sanctions with respect to Mr. Razumovich.

17 Is that -- are there other Board members that have  
18 additional thoughts on this?

19 So here's what I would like to propose. I would like  
20 to propose a ten-minute break, so -- and then when we come  
21 back after that ten-minute break, so we'll come back at  
22 ten minutes to the hour, that we will take up this  
23 conversation of options for additional sanction  
24 recommendations. Very good. Thank you very much.

25 ///

1 (Recess taken.)

2

3 CHAIRPERSON PREZEAU: So we'll reconvene the April  
4 28, 2016, Electrical Board meeting.

5 So right before the recess, Ms. Kellogg indicated  
6 that she had crafted a final order in the matter of  
7 Mr. Razumovich in the suspension of his administrator  
8 certificate. Our assistant attorney general has reviewed  
9 the final order, has made some edits, mostly to reflect  
10 the fact that the appellant did not appear. And I am more  
11 than happy to read the entire five pages of the order into  
12 the record. I am more than happy to circulate the record  
13 for Board members' review. Or in the event that you have  
14 the degree of confidence that I do in our assistant  
15 attorney general, I can as the presiding officer sign the  
16 final order as edited by our -- by Ms. Reuland.

17

18

Motion

19

20 BOARD MEMBER PHILLIPS: So moved.

21 BOARD MEMBER BELISLE: Second.

22 BOARD MEMBER PHILLIPS: That we accept it as edited.

23 CHAIRPERSON PREZEAU: Second?

24 BOARD MEMBER: Second.

25 CHAIRPERSON PREZEAU: Discussion on the motion? All

1 those in favor, signify by saying "aye."

2 THE BOARD: Aye.

3 CHAIRPERSON PREZEAU: Opposed? Very good.

4

5 Motion Carried

6

7 CHAIRPERSON PREZEAU: So before -- additionally  
8 before we -- thank you, Ms. Kellogg. Finally a final  
9 order that spells my name correctly. Just the little  
10 things.

11 So there was some discussion about wanting to  
12 consider maybe some further sanctions regarding  
13 Mr. Razumovich.

14 And Mike, you had indicated that maybe you had some  
15 desire to in some way, shape or form notify -- have the  
16 Department notify Mr. Razumovich's presumed current  
17 employer, McKinstry Electric of I'm assuming the  
18 suspension and the action taken by the Department and  
19 approved by the Board.

20 Because we can -- just for clarity, we can make all  
21 kinds of recommendations to the Department regarding  
22 things that we would like to see them do. With the  
23 exception of exams and continuing education, we are an  
24 advisory board. So the Department -- it would be  
25 incumbent upon the Department to determine if the

1 recommendations made by the Board were appropriate and  
2 consistent with current law.

3 BOARD MEMBER NORD: I think, Madam Chair, my question  
4 at this point is: With the settlement of the matter in  
5 which it has been settled, thus particularly wanting the  
6 Department to suspend for two years, is it appropriate at  
7 this time for us to make any further recommendations?

8 CHAIRPERSON PREZEAU: It is absolutely appropriate  
9 if you have an opinion on further sanctions regarding  
10 Mr. Razumovich's general administrator certificate, or  
11 even the process.

12 Dominic.

13 BOARD MEMBER BURKE: Just as someone who carries a  
14 general administrator's license in Washington and amongst  
15 a few other states and an 01 wireman, it's a little bit  
16 concerning to me that the Department let this go as long  
17 as they did, and they come to a conclusion of a two-year  
18 suspension. So, you know, further sanctions and possible  
19 revocation would not be outside of my recommendation. And  
20 I don't know how the rest of the Board feels. But I just  
21 want to say that that does concern me as a business owner,  
22 as an administrator, as a wireman in this trade.

23 So I'd like to see the Department -- you know, if  
24 there's any future administrators or journeymen or repeat  
25 offenders such as this per the WAC, which is anyone over

1 -- or anyone with citations -- I think over three  
2 citations within a three-year period, I think I'd like to  
3 see the Department, you know, maybe stiffen their  
4 penalties a little bit because this is bad for all of us  
5 in the industry.

6 I guess that's just a general comment.

7 CHAIRPERSON PREZEAU: I'm curious. Just to take a  
8 straw poll of -- I'd like Board members to raise their  
9 hand if they are -- would be supportive of a  
10 recommendation to the Department to consider revocation of  
11 Mr. Razumovich's general administrator certificate.

12 So one, two, three, four, five, six, seven, eight.  
13 So eight folks would be supportive of that recommendation  
14 or that consideration.

15 Bobby.

16 BOARD MEMBER GRAY: And I disagree with that. I  
17 think someone that's a continuous abuser of our industry  
18 -- and I echo what Dominic said. However, I'm -- before I  
19 would make a recommendation for that, I think we should  
20 possibly consider the advantages and disadvantages of  
21 whether the Department would have more control with, say,  
22 a four-year suspension compared to a complete revocation.  
23 And the reason I say that is because there really isn't  
24 any other restrictions once we revoke -- or once the  
25 Department revokes that administrator certificate, now

1 they're certainly eligible to come back if they meet all  
2 the requirements to take the exam and get another  
3 administrator certificate. So perhaps a extended  
4 suspension would give the Department a little more  
5 ammunition, if you would, for ensuring that people do  
6 follow the rules.

7 CHAIRPERSON PREZEAU: Compliance. I like the way you  
8 think.

9 Don.

10 BOARD MEMBER BAKER: So a question maybe for Steve.

11 When a license is suspended, whether it's an 01 or  
12 administrator or journeyman, how does the Department get  
13 that information out to the industry? I'd like you to  
14 answer that question. Because as an administrator, if  
15 I've -- and I've got lots of 01's working under me, if  
16 someone's license has been suspended, I'd want to know  
17 that. Is there a way that you could post that in the  
18 Currents, you know, each month the suspensions? Or how do  
19 you get that information out to the industry, to the  
20 community?

21 SECRETARY THORNTON: I'm not sure that we do now.

22 In the past we've listed citations in the Currents.  
23 And I don't know that there's anything that prohibits us  
24 from doing that.

25 BOARD MEMBER BAKER: Yeah, I would recommend that if

1 you're suspending someone's license, there be a section in  
2 the Currents where you list that every month. So  
3 administrators if they're getting those Currents, they'll  
4 open that and see if it applies to anybody working under  
5 their license. That would help me.

6 CHAIRPERSON PREZEAU: So we'd notify the industry.  
7 Janet and then Dylan.

8 BOARD MEMBER LEWIS: Well, there is the on-line  
9 database that you can look anyone up, and it does show  
10 whether, you know, their violations, whether they're  
11 suspended or whatever the status is.

12 BOARD MEMBER BAKER: Yeah, you're exactly right.

13 I'm thinking of this particular case where this  
14 individual's not working in that capacity; although, he  
15 has a license. He might be being compensated in some way  
16 from McKinstry because he carries that license. And if it  
17 gets suspended, the administrator wouldn't necessarily  
18 know. He wouldn't even check because he's not working  
19 necessarily in the industry.

20 BOARD MEMBER CUNNINGHAM: I was just going to  
21 dovetail with what he was talking about with regard to the  
22 Currents. I know that the -- for engineering land  
23 surveyors, the Department of Licensing issues a bulletin  
24 every quarter, and if you -- if an individual licensee or  
25 even a person practicing without a license was sanctioned

1 or revoked or whatever, it's right there. The case is  
2 laid out, the facts, it's all in there, wide open. So I  
3 don't know where that threshold would need to be to make  
4 sure we don't have a bunch of extra pages in the Currents.  
5 Maybe it's revocations. Maybe it's something lower than  
6 that. Suspensions.

7 CHAIRPERSON PREZEAU: I mean -- I think it is -- you  
8 know, recognizing -- I think part of our -- this Board's  
9 outreach or anger at this particular situation is not only  
10 because we are good actors within this industry in various  
11 different capacities. But the work that we do has an  
12 impact on human beings moving around in the world, right?  
13 whether it's at a place or -- you know, that's real  
14 potential impacts.

15 I think I would be very supportive of the Electrical  
16 Currents adding, you know, posting to notify the industry  
17 of habitual bad actors of suspended certificates so that  
18 the industry is aware. And maybe, you know, not all of  
19 the minutia of the case, but, you know, this individual is  
20 no longer eligible to perform administrative duties.

21 Dominic.

22 BOARD MEMBER BURKE: I was just going to say, from  
23 Local 77 on the line side, we get an e-mail, any  
24 suspension, any revocation, and it doesn't talk about the  
25 detail; it doesn't talk about the why's and how's. It

1 just says this individual is suspended as of this date.

2 We get those as soon as it happens.

3 So I know it's -- it should be available.

4 CHAIRPERSON PREZEAU: Rod and then back to Don.

5 BOARD MEMBER BELISLE: Yeah, I think from a training  
6 perspective, we use the Electrical Currents for timely  
7 articles for information to explain to apprentices and  
8 journeyman how information is disseminated to the  
9 industry. We also use the Board minutes from Oregon  
10 because they provide a very succinct list of citations and  
11 permit violations and fees that occur at every electrical  
12 board meeting. And it's pretty easy to demonstrate to the  
13 students that they take this seriously. And people  
14 actually do pay fines for violations. And I think if that  
15 was in the Electrical Currents, that would send a message.  
16 Anybody who cares to read it, they would read it and  
17 realize that, yeah, they do mean business.

18 And I think to Don's point, you know, the Department  
19 could potentially suspend or revoke a license on a daily  
20 basis. It's not like they do it on a quarterly basis or  
21 on the 30th of every month. So for Don to be able to keep  
22 track of his people via a Web site would be a full-time  
23 job. Whereas, a posting, whether it be monthly,  
24 quarterly, I think would be a huge service to the  
25 industry, you know, to make the honest people stay honest

1 and help promote, you know, the better safety and  
2 following the rules.

3 BOARD MEMBER BAKER: We do use their on-line service,  
4 especially for the trainees.

5 But to take it one step further, you know, selfishly  
6 I'd like to see it in the Currents because that helps me  
7 because I see suspensions. There's a huge customer base  
8 out there. The underground economy that, you know, we're  
9 dealing with every day, that they think these guys are  
10 licensed, you know. They don't -- shame on them for not  
11 asking to actually see the license. But they think  
12 they're licensed. Even though we suspend this  
13 individual's license, there's still a group of people out  
14 there thinking they're an electrician. They're going to  
15 be calling them on the phone. It seems prudent that we  
16 have some mechanism for notifying people in the industry  
17 that licenses are suspended.

18 CHAIRPERSON PREZEAU: Agreed.

19 Mike.

20 BOARD MEMBER NORD: Is there a possibility as a board  
21 we can look into strengthening the consequences of the  
22 actions of these bad actors?

23 I think echoing some of the comments I've heard here  
24 in this particular case, this went on far too long. And I  
25 think the penalty is far too light. And I think that

1 perhaps if you're suspended the first time, and at the end  
2 of your suspension you're made whole again and you become  
3 an administrator and you do the same thing all over again,  
4 maybe a lifetime suspension should be in order, something  
5 much harsher.

6 CHAIRPERSON PREZEAU: Yeah, so I -- I can understand,  
7 and I think that whether this matter or future matters,  
8 you know, the penalties and the actions of the Department  
9 can take are obviously going to be outlined in statute and  
10 also in rule. I don't think that -- you know, I don't  
11 think that even if you were to talk about revocation, I  
12 still think that there's probably room for somebody to  
13 restore their ability to perform work. Because I think it  
14 would be consistent with the Washington State Constitution  
15 that you could actually ban somebody forever from access  
16 to an industry; I'm not sure if that's possible.

17 But what I would like to see -- and maybe this will  
18 appease your desire -- is, you know, I asked the question  
19 about the difference between suspension and revocation.  
20 And what I would like to maybe put out there for your  
21 consideration is maybe at the July meeting the Department  
22 could maybe through a technical specialist for the chief  
23 could walk the Board members through generally let's look  
24 at the WAC and RCW's, let's look at these conflicting  
25 WAC's that Ms. Jeffrey was speaking about in terms of what

1 happens once a suspended certificate completes the  
2 duration of their suspension, you know, and let's have a  
3 comprehensive review of what were some of the actions the  
4 Department could have taken or with respect to suspension,  
5 where do they get that authority. Let's have a much more  
6 -- because maybe to your point, Bobby, is, you know, you  
7 were -- I like the way you're thinking is, hey, maybe  
8 before you go stampeding to what you think is a better  
9 option, let's understand the mechanics of all the options  
10 so that any recommendation that this body makes is the  
11 most appropriate one. And I think that that would be --  
12 maybe would satisfy your concern.

13 BOARD MEMBER BURKE: Can we possibly add in the  
14 state's legal requirements to that? Because I think that  
15 plays into this discussion heavily as well.

16 CHAIRPERSON PREZEAU: So what you're referencing is  
17 the flow that Ms. Jeffreys talked about in this sort of --  
18 the current process the Department uses to go from step A  
19 to suspension/revocation.

20 BOARD MEMBER BURKE: Exactly. And maybe we'd be able  
21 to make recommendations towards that Lean process that  
22 could assist in all of this.

23 CHAIRPERSON PREZEAU: I think that would be true,  
24 because what we know about Lean is it's about continual  
25 improvement, right?

1 Kevin.

2 BOARD MEMBER SCHMIDT: I think to the Department's  
3 credit, I mean, I believe they tried to put together a  
4 system for a situation, and I think one of the things  
5 that's brought so much discussion is this is such an  
6 egregious violation and all of us -- or not all of us,  
7 but, you know, we all work very hard to work within the  
8 system and do what is right. And that's not meaning that  
9 it's the easiest, and in a lot of cases the least  
10 expensive path to take.

11 Again, as a business owner myself, I -- there is a  
12 lot of things that I would love to save money on, but in  
13 order to make sure we work within the system, this is what  
14 we have to do.

15 And so when we do see someone that is slighting the  
16 system, it does affect us, because again, we're out there  
17 competing. We're competing against someone who doesn't  
18 follow the rules, who doesn't have the same financial  
19 burden and responsibilities that we do. It does affect  
20 the whole industry, and in some cases is going to -- if  
21 they aren't even meeting the what I would call the safe  
22 parts of the code, what's going on in these  
23 installations?

24 And so I would -- I would also like to -- to further  
25 Dominic's comment about saying, you know, in situations

1 like this where it is so egregious, that we, you know, can  
2 help or assist the Department in being able to not have to  
3 necessarily -- you know, that some of these systems don't  
4 fall within this platform. Because I believe the two-week  
5 suspen -- or I'm sorry -- the two-year suspension was  
6 based upon a flow chart that probably wasn't designed  
7 around someone that had done so much, if that makes sense.

8 CHAIRPERSON PREZEAU: No, I think that's a valid  
9 comment.

10 Go ahead, Dylan.

11 BOARD MEMBER CUNNINGHAM: I was going to say the  
12 process, the way it was described in the presentation was  
13 very well done, seems to -- she mentioned even going light  
14 on the application of the penalties. It seems like a lot  
15 of effort was put into the flow chart to avoid being  
16 draconian to the guy who makes two or three mistakes, you  
17 know, in a short period of time and gets crushed under,  
18 you know, the forces of the statute.

19 CHAIRPERSON PREZEAU: The weight of the State.

20 BOARD MEMBER CUNNINGHAM: This particular example is  
21 so far on the other side of the spectrum, it seems to me  
22 that we -- just kind of outrun the system and the triggers  
23 don't kick in fast enough. Or it seems that there's no  
24 real teeth to the statute. You know, you rack up a whole  
25 bunch of fines, even if it was ten times as many fines,

1 he's never going to pay them.

2 And then what happens if he continues to work in the  
3 industry on a suspended, what's the penalty then? What  
4 happens then? Or if we revoke their license, and they're  
5 still doing electrical work.

6 CHAIRPERSON PREZEAU: So hypothetically speaking,  
7 Steve, is if you had an individual who had their general  
8 journeyman certificate, a worker suspended for, you know,  
9 on merits for a period of two years, and that individual  
10 was found performing electrical construction work as  
11 defined in the RCW and WAC, what would be the Department's  
12 options?

13 SECRETARY THORNTON: Well, we would issue more  
14 citations at the higher penalties, probably knowing he  
15 wasn't going to pay them. And you have a hard time  
16 jumping clear to the criminal aspect of it. But we can do  
17 that. But you have to have some substantial evidence  
18 before you can make that stick.

19 CHAIRPERSON PREZEAU: Yeah. So here's one thing I  
20 want to -- I mean, I really like that the Board is  
21 responding to this specific instance with like, wow, man,  
22 it sort of seems like the Department was lenient. The  
23 reason why I'm sort of smiling is how often, Steve, as the  
24 chief electrical inspector, do you hear from stakeholders  
25 that the Department is being lenient?

1 SECRETARY THORNTON: Once.

2 CHAIRPERSON PREZEAU: So there have been times in my  
3 long collaboration with the Department and particularly  
4 the electrical program where I have wanted to -- like my  
5 head is popping off. And I've been told by past  
6 executives that we have to remain reasonable, we have to  
7 remain reasonable, we have to remain reasonable. And it's  
8 made me crazy in certain instances. But, you know, I  
9 offer that as -- because there's a whole universe of  
10 stakeholders who I think, as you indicated, I think rarely  
11 see the Department as reasonable.

12 SECRETARY THORNTON: Once in a while we get  
13 complimented for being reasonable, but never lenient.

14 BOARD MEMBER BURKE: I will also say it's really nice  
15 to know that Ms. Jeffreys is putting in the effort and the  
16 review process. I mean, I don't think that we should all  
17 take that lightly as stakeholders. Because what she did  
18 before she came to this Board and before she notified this  
19 individual of suspension, there was an exhaustive amount  
20 of work that went into that, and as a stakeholder knowing  
21 that that kind of research is going into it, even to the  
22 level of Don's point of was this a harassment level, an  
23 inspector? No. Ten different inspectors. That's  
24 appreciated greatly, at least by me. So thank you.

25 SECRETARY THORNTON: She does a very good job at that

1 and is very thorough.

2 CHAIRPERSON PREZEAU: Rod.

3 BOARD MEMBER BELISLE: Well, I guess I just want to  
4 say I agree with your recommendation that the Department  
5 come to the next meeting with a flow chart, if you will,  
6 of what the options are of suspend versus revoke and how  
7 that would factor into the future action taken.

8 It's kind of a dilemma here because if this guy was  
9 revoked and didn't have an administrator license  
10 certification, he would be doing exactly what he's doing  
11 with it which is nothing. I mean, I'm looking at the  
12 duties of which he's done none of those things.

13 So, you know, Bobby's point of being suspended might  
14 be the better way to keep an eye on him. Because if he  
15 doesn't have a certification, nobody knows he exists and  
16 he's going to continue doing the work that he's doing  
17 potentially.

18 So maybe along with that concept of the flow chart  
19 and where we go into suspension mode and what triggers  
20 those things, I'm wondering if we could also get a  
21 recommendation, just a straight up, you know, if I were  
22 King today, this is what I think the Board should do to  
23 stop this. Because analyzing the process is great for the  
24 normal person. But I don't think this is the normal  
25 person. And I'd kind of like to get just a straight-up

1 recommendation of what we can do. What's the most  
2 stringent thing we can do so that this person or the next  
3 person that comes down the road like this won't work in  
4 the electrical industry again. Because my head feels like  
5 it's ready to explode as well. And I think we need to  
6 know what's the most we can do, what's the best thing we  
7 can do to resolve this.

8 CHAIRPERSON PREZEAU: So is that -- are you asking  
9 for a recommendation from the Department --

10 BOARD MEMBER BELISLE: Yes.

11 CHAIRPERSON PREZEAU: -- about what is the most  
12 powerful thing that we as the Board could recommend in a  
13 similarly egregious case of violations?

14 BOARD MEMBER BELISLE: I think so. I agree that the  
15 two-year suspension was on point. They did exactly what  
16 they should have done. And now we have two years to  
17 figure out what the next step is. And I think we need to  
18 know what that next step is. Yes.

19 CHAIRPERSON PREZEAU: Steve.

20 SECRETARY THORNTON: I don't know the answer to that  
21 as to how far you can go. But I can find out.

22 CHAIRPERSON PREZEAU: And I think some of it  
23 obviously is contingent on what happens in the interim,  
24 right? I mean, it's possible that a number of things  
25 could happen like, oh, like the Department may publish

1 this individual -- you know, suspended/revoked certificate  
2 holders in the Electrical Currents, and other stakeholders  
3 could make decisions that have impact on those suspended  
4 or revoked -- the holders of those certificates that may  
5 compel folks in that suspended or revoked status to change  
6 their behavior. Or not. And then I think the answer  
7 varies, right? Like the end of the two-year suspension or  
8 whatever the period is for, you know, others, that what  
9 happens in the interim is obviously going to have an  
10 impact on -- but you want to know like what is the most --

11 BOARD MEMBER BELISLE: I get the feeling --

12 CHAIRPERSON PREZEAU: -- powerful position.

13 BOARD MEMBER BELISLE: -- there's a general consensus  
14 among the Board that we want to be able to do more. So  
15 not only analyzing what the current process is, but what  
16 is more, what can we do as a stronger effect.

17 CHAIRPERSON PREZEAU: Sort of a dichotomous key, what  
18 happens if this, what happens if this.

19 Steve.

20 SECRETARY THORNTON: Faith may be able to answer that  
21 question better.

22 You want to answer that, Faith?

23 MS. JEFFREY: If you're interested.

24 CHAIRPERSON PREZEAU: Yes. So Faith, while you come  
25 up, I know that -- I want to -- Mike, is your question

1 relative to this?

2 BOARD MEMBER NORD: Yes. Rod has echoed exactly my  
3 thoughts.

4 But the other part of my thoughts taking a big  
5 picture look at this entire situation is we now have an  
6 administrator who has run amuck who is not doing his job  
7 as he should have been. As a result, the people working  
8 under him didn't do the job they should have done. And as  
9 a result, we have a whole lot of customers of his out here  
10 that no permits were taken out, no inspections were ever  
11 called or work was performed, and the customer paid good  
12 money thinking it was done properly. How is the customer  
13 at this point in time because no permits were taken out  
14 and no inspections made, how does he know that what was  
15 done was safe?

16 We actually -- I think we're in a position where the  
17 general public thinking that the Department through the  
18 laws and regulations we have through 19.28 to 46B, where  
19 is their protection here? I think we have a whole lot of  
20 people that potentially are at risk.

21 CHAIRPERSON PREZEAU: So Faith, are you -- can you  
22 take those two questions in order? Is that possible?

23 MS. JEFFREY: Sure.

24 CHAIRPERSON PREZEAU: Do you want to speak to Rod's  
25 question about, you know, escalation, if you will?

1 MS. JEFFREY: Yes.

2 CHAIRPERSON PREZEAU: And then to Mike's question  
3 about customer awareness.

4 BOARD MEMBER NORD: And not only customer awareness,  
5 but all these customers of this individual who probably  
6 have no idea what's going on here today, have no idea that  
7 he was outside of the compliance with his legal  
8 responsibilities. They engaged him. They paid him. They  
9 think everything was done correctly. Maybe it wasn't.  
10 They don't know any difference.

11 BOARD MEMBER BELISLE: This is related.

12 CHAIRPERSON PREZEAU: So Rod thinks this is related.

13 BOARD MEMBER BELISLE: Well -- and maybe part of Mike  
14 -- to continue Mike's question is: On all these locations  
15 where he didn't take out a permit and didn't call for an  
16 inspection, does the Department at some point do the  
17 inspection?

18 CHAIRPERSON PREZEAU: All right, Faith, you just got  
19 a whole cornucopia of stuff in front of you.

20 BOARD MEMBER NORD: Well -- and on top of Rod's  
21 position, does the Department right now feel any  
22 obligation that they need to notify these people of the  
23 situation that potentially their installation is  
24 compromised?

25 CHAIRPERSON PREZEAU: Have at it, Faith.

1 MS. JEFFREY: I'm going to take the second one first  
2 because I think people are -- there's more energy around  
3 that and they're building fear that is not needed.

4 I can tell you for a fact in Rand Jones'  
5 investigation that as a direct report of mine, I can speak  
6 to exactly what's happened. The other inspectors, I  
7 can't.

8 What E CORE does when they come across no inspection  
9 violations or no permits is they run it to the ground.  
10 There will a permit and inspection, period, or E CORE does  
11 not let up. So I can guarantee you in Rand's jobs, in his  
12 investigations, those permits and inspections have  
13 occurred.

14 We have in place what we call a CR process,  
15 compliance request process, that the field inspectors use.  
16 E CORE typically does not use that CR process. We keep it,  
17 and we keep it on our desk, and they have five days to get  
18 us the permit or the inspection or we will cite again;  
19 we'll issue more penalties. And we stay on it and keep it  
20 in front of us at our desk so we don't lose track that  
21 we're still owed a permit or we're still owed a  
22 inspection. If the contractor is out of business or not  
23 responding, then we will go to the property owner and  
24 require the permit and the inspection. Because ultimately  
25 it's the property owner responsible, and boy, are they

1 unhappy when they've already paid a contractor to take  
2 care of things. But it's still, for safety, that's our  
3 ultimate responsibility is to make sure the permit and  
4 inspection occurred.

5 BOARD MEMBER NORD: So in this case with these 99  
6 customers or however many there actually are, if we even  
7 know how many there actually are, has the individual  
8 customer then been notified by the Department and informed  
9 of the situation?

10 MS. JEFFREY: I can only speak to Rand Jones. And I  
11 don't know whether the contractor got the permits and took  
12 care of the inspections or whether the property owner did.  
13 But Rand will have, I can guarantee you, he will have  
14 resolved every one of those with the permit and  
15 inspection.

16 I can't tell you whether the company A & G or Ample  
17 or Integrity, if they took care of the business or if Rand  
18 had to turn to the property owner. If he can't get either  
19 one of those to comply, then he does the Department CR  
20 request, the compliance request and turns it over to the  
21 local field supervisor with all of the pertinent  
22 information. And then the local field supervisor follows  
23 up with the property owner. It kicks in the Department  
24 machinery of a correction notice to the property owner  
25 that they need to obtain a permit, and then the

1 Department's 15-day letter to the property owner that they  
2 need to obtain a permit, and then a five-day letter to the  
3 property owner that they need to obtain a permit, and then  
4 the warning would go out, the warning citation, no penalty  
5 versus zero occurrence. And then after that if we're  
6 still in that compliance escalation strategy, if we still  
7 don't get a permit and inspection from the property owner,  
8 then the citation goes out. And then the Chief usually  
9 gets a phone call.

10 BOARD MEMBER NORD: Do we know what's going on with  
11 the other inspectors besides Rand?

12 MS. JEFFREY: I do not. I did not do that research.

13 BOARD MEMBER NORD: Is the Department going to do  
14 some research about that?

15 SECRETARY THORNTON: And that process should be the  
16 same with the field inspectors. Once they find out that  
17 it's there and there's no permits, they should follow the  
18 same process and push it --

19 BOARD MEMBER NORD: I just want to make sure the  
20 public is protected from the actions of this individual.

21 MS. JEFFREY: Yes. The ultimate goal is the permit  
22 and the inspection. Because we don't know -- we assume  
23 it's unsafe until we have a permit and an inspection to  
24 prove different. If we can't get a permit and inspection  
25 out of somebody, we actually will roll into the disconnect

1 procedure. Because our premise is until we've seen it and  
2 verified it's safe, it's unsafe. So that's why we push  
3 for the permit inspection. That's our ultimate job. To  
4 do compliance is to make sure the person in that house or  
5 in that building is safe.

6 So the first question. Many years ago, 20, Janet  
7 Lewis did a whole bunch of research on revocation and  
8 suspension. She may be the better person to address this.

9 BOARD MEMBER LEWIS: (Shaking negatively.)

10 CHAIRPERSON PREZEAU: Have you slept since then,  
11 Janet?

12 MS. JEFFREY: By the way, that was her original draft  
13 on that intent to suspend letter. She wrote the originals  
14 20 years ago. Still using them.

15 So back -- what the AAG had told us back then when we  
16 were researching revocation and suspensions was a  
17 revocation was police power. However, they also noticed  
18 19.28.061 in the administrator statute, sub (4).

19 CHAIRPERSON PREZEAU: Hang on a second, Faith,  
20 please. 061, sub (4)? Okay.

21 MS. JEFFREY: The Department may deny an application  
22 for an administrator certificate -- that's the exam  
23 application -- for up to two years if the applicant's  
24 previous administrator certificate has been revoked for a  
25 serious violation and all appeals concerning the

1 revocation have been exhausted.

2 So back then when we were doing investigations for  
3 Far West and Rainbow? I believe? Rainbow Electric? We  
4 were advised that a suspension would be better than a  
5 revocation. Because if we revoke them, it can only be for  
6 two years maximum. Because then he can apply for the exam  
7 again. Where if we did a suspension for four years, then  
8 we had him under our thumbs for four years as you've  
9 previously discussed. We have more control over him for  
10 that length of time.

11 So there's some back and forth discussion that needs  
12 to happen there that Nancy needs to do before your July  
13 meeting, and we can lay out this escalation strategy, the  
14 compliance continuum and the warnings and the things we  
15 have in place now and provide that to you.

16 The other thing that we do have is in WAC, and  
17 Nancy's committed to look at this before the July meeting.  
18 She and I were whispering back and forth over here. In  
19 990 -- WAC 296-46B-990, sub (4) -- no. Where is it? (h).  
20 Okay, now, I got to --

21 CHAIRPERSON PREZEAU: (3)(h)?

22 MS. JEFFREY: (3)(h). Sub (3), sub (h).

23 It says, "For any act of serious noncompliance, the  
24 person, firm, partnership, corporation or other entity may  
25 be referred to the county prosecutor for criminal

1 prosecution under 9A.72 RCW. The department may also file  
2 a civil action under 19.28 ..."

3 The civil action are citations and the suspensions  
4 and revocations.

5 Now, when Janet was Chief, we did the criminal  
6 prosecution with the Far West case that she did so much  
7 research on suspensions, revocations. In the Far West  
8 case, we did nine revocations for journeyman certificates.  
9 She also shepherded through the system nine criminal  
10 prosecutions for conspiracy to file false government  
11 documents that were successful. Those fellows were  
12 successfully prosecuted for criminal.

13 But that was 1996, and a lot of AG's have come and  
14 gone since then. And we just -- we -- the Department  
15 ceased doing -- in 2000 roughly we ceased doing  
16 suspensions/revocations. The Chief just rarely wanted to  
17 go there. And then they were almost all settled prior to  
18 coming to the Board, except two.

19 CHAIRPERSON PREZEAU: Yeah, I mean, I've been on this  
20 Board since 2005, and this is the third time we've had a  
21 suspension or revocation brought here.

22 MS. JEFFREY: Yeah. 2008 was the last time. And  
23 that was Terry Toth and Allstar Electric, Rod's Mutch's  
24 investigation. But that was the last time.

25 Our Chief at the time just didn't want to deal with

1 it. But this chief wants to see the escalation and work  
2 towards the goal of getting them to comply or getting them  
3 out of the industry; their choice.

4 CHAIRPERSON PREZEAU: Yeah. Reasonable. Follow the  
5 rules or ...

6 BOARD MEMBER SCHMIDT: When you do your  
7 investigations, are you able to look outside L & I's  
8 citations? Are you able to look into the individual  
9 cities that are doing their own inspections?

10 MS. JEFFREY: Yes. And Rand Jones, you'll see in his  
11 inspector statement he did. Yeah, we go to the local  
12 jurisdictions, the City of Seattle, City of Renton, yeah,  
13 where we think they're working. And Rand did that.

14 That's why in my testimony I was very specific.  
15 There was 61 L & I permits, 62 L & I permits. That was my  
16 review. I didn't want to reinvestigate the whole thing.

17 BOARD MEMBER SCHMIDT: I'm not sure I can ask this.  
18 Or -- but -- so is it fair to say then what was listed  
19 here is not necessarily all the potential violations that  
20 this individual ...

21 MS. JEFFREY: No. I can tell you it's probably a far  
22 cry from it. Because those are only permits. They only  
23 bought permits when we caught them. So there's a whole  
24 lot of jobs out there that we don't know about. And if an  
25 inspector didn't catch them, they didn't usually bother to

1 get a permit. Those are just the legal permitted jobs.

2 CHAIRPERSON PREZEAU: Don.

3 BOARD MEMBER BAKER: I'm going to take this a little  
4 bit of a different direction here.

5 It's always baffled me a little bit as to -- someone  
6 goes down and they pay enough money for a 40-foot motor  
7 home, they can drive that motor home right off the lot,  
8 take it right down the road without any additional  
9 qualifications.

10 What are the qualifications to become an  
11 administrator in the state of Washington?

12 CHAIRPERSON PREZEAU: Pass the test.

13 BOARD MEMBER BAKER: Fog a mirror. Fog a mirror. If  
14 you pass the test, you're in. So Dominic and a guy like  
15 me who have administrator's licenses -- and we work hard  
16 to get those -- a two-year suspension would be  
17 catastrophic. That's a big deal.

18 So when we're talking about revoking this  
19 individual's license or extending a two-year suspension to  
20 four years, I'm thinking, man, to me two years is really a  
21 strong penalty.

22 But to somebody that just sat and fogged a mirror to  
23 pass the test, what's the big deal if they're not -- if  
24 they're not a real active engaged administrator. And I  
25 wonder if we need to go back into how we qualify

1 individuals for our -- to be an administrator in the state  
2 of Washington. The guys that install have to go through a  
3 five-year apprenticeship program and document their hours,  
4 but to be the guy in charge of the entire system, all you  
5 have to do is fog a mirror and "Here, you've got a  
6 license. Pay the fee. You're in."

7 And it seems like we should be more diligent about  
8 who we select to be an administrator.

9 CHAIRPERSON PREZEAU: So that's a very valid  
10 observation. And, you know, the record indicated that  
11 this individual did very well with the administrator's  
12 exam.

13 BOARD MEMBER BAKER: A good test taker. We've got  
14 them in our company. If we need to have a license in  
15 Ohio, we got guys we can send down there and they can pass  
16 the test in the state of Ohio because he's a good test  
17 taker.

18 For me, it was a big deal because I'm not a good test  
19 taker. It took me a while to get my license.

20 CHAIRPERSON PREZEAU: Well, because the words in the  
21 rule and the statute mean something to you, right? They  
22 have impact. But if you're just taking the test to see if  
23 you can answer -- you know, locate Waldo in the statute,  
24 then it doesn't -- you know, the words don't have the same  
25 resonance.

1 BOARD MEMBER BAKER: I think I made my point. But  
2 just to drive the nail a little bit further, I have a  
3 friend who wanted to install a septic system. He didn't  
4 have the time to take the test, so he sent his wife down  
5 to take the test. She read the book, went down, took the  
6 test, passed it. She is now a licensed septic installer  
7 in the state of Washington. She doesn't have a clue how  
8 to do a septic system in the state of Washington, but  
9 she's licensed to do it.

10 So my point is we need to -- we should qualify our  
11 administrators. We shouldn't just make them pop in here,  
12 you pay the fee and you pass the test.

13 BOARD MEMBER BURKE: It's also not as big of a deal  
14 to someone who's not acting --

15 BOARD MEMBER BAKER: Right, a two-suspension --

16 BOARD MEMBER BURKE: A two-week suspension for me  
17 would just be catastrophic.

18 BOARD MEMBER BAKER: Yeah. This individual's --

19 BOARD MEMBER BURKE: I mean, it's all relative too.  
20 What capacity are they --

21 BOARD MEMBER SCHMIDT: I think what we have to be --  
22 that's a very slippery slope you're talking about.  
23 Because the other challenge comes in and what's probably  
24 the biggest issue that I have with this person is it's  
25 very clear to me that he took the test, he got

1 certification, and he sold his certification to the  
2 highest bidder. And that is a problem. And I am very  
3 frustrated and angry over that. Because in my  
4 organization I'm the administrator. I did take that test.  
5 But I'm also a very active role, and I take my role very  
6 seriously. Okay?

7 But the challenge that I would bring to you is to say  
8 that if we get -- I think we need to -- I think instead of  
9 trying to make this so difficult that no one will do it,  
10 there is also a situation of accountability; whereas, you  
11 know, very easily, the inspectors found out that this guy  
12 was holding multiple jobs while supposedly the number one  
13 responsibility of the administrator is to be a full-time  
14 employee. And when they did look at, you know, the  
15 records, the employment records, it was very obvious that  
16 he was not a full-time employee, or at least he was a  
17 full-time employee at multiple organizations.

18 So while I agree -- I want this cleaned up. I also  
19 want to be careful not to make it so difficult that it  
20 becomes more prevalent to just work in the underground  
21 community than it is to try and become licensed to do so.  
22 And I would very much, you know, look for ways to make  
23 this happen. Because again, I can only speak for myself.  
24 But I can tell you that I do run into situations where I'm  
25 bidding on projects where I full well know the guy I'm

1 bidding against is not licensed, he's not meeting the  
2 specifications. But what can I do, you know? What is my  
3 -- what is my recourse?

4 And that's what I'd like to do is to figure out how  
5 we can make, you know, figure out a way to identify these  
6 individuals within the industry. Because we know they're  
7 there. And I think in some cases the contractors  
8 themselves know who they are. I mean, I know this person  
9 necessarily isn't following the rules. What can I do?  
10 How can I solve that problem?

11 Secondly, a point that is made is that the actual  
12 party that is contracting these services, right now it  
13 takes a very extreme case for that individual to become  
14 responsible for the decision they made. I can hire an  
15 unlicensed contractor to work in my home quite honestly  
16 with potential no ramification doing so unless it gets to  
17 that point.

18 So how can we firm up the system to plug these holes  
19 where potentially the end user has some skin in the game  
20 when they're hiring these contractors?

21 BOARD MEMBER BAKER: Well, I don't disagree with you.  
22 It is a slippery slope when we start talking about  
23 changing how we qualify this for the administrator exam.  
24 You know, if we were to throw out there that you have to  
25 be an 01 electrician to sit for the 01 administrator's

1 exam, there's some fallout to that, right? But that is  
2 one thing we could do.

3 It doesn't seem right to me that anyone can sit for  
4 that exam. 20 years ago -- 25, 30 years ago, it was a big  
5 deal to an administrator's license in the state of  
6 Washington. Anymore, they're a dime a dozen. You know,  
7 there's so many people that have administrator's licenses.  
8 And I don't know that individuals like this take it  
9 seriously. This looks like somebody that sat for the  
10 exam, passed the test and went out and started acting  
11 irresponsibly.

12 CHAIRPERSON PREZEAU: Rod, can you share with us --  
13 I'm sure you're fluent with the comparable position of  
14 administrator in Washington and with Oregon and what the  
15 requirements are.

16 BOARD MEMBER BELISLE: So Oregon has a supervisor's  
17 license which is the equivalent to an administrator --  
18 actually it's the equivalent to a master electrician in  
19 Washington. Because a master has to have an 01 and an  
20 administrator.

21 So Oregon, you can get a supervisor's license after  
22 you've completed a four-year apprenticeship and then serve  
23 four years as a general journeyman. And then you have to  
24 sit for an exam. And the exam there, it's far beyond  
25 fogging a mirror. I think they have about a 20 percent

1 pass rate first time, and then it goes up to about 38  
2 percent second time. I don't know exact numbers, but I  
3 can tell you it is extremely difficult.

4 CHAIRPERSON PREZEAU: Are you a supervisor?

5 BOARD MEMBER BELISLE: I am not because I'm a  
6 terrible test taker. I am a master in Washington, and I  
7 would prefer to work in Washington.

8 But I can tell you it is extremely difficult to the  
9 level that the state has reviewed the test to try to see  
10 if they can make it somewhat more --

11 CHAIRPERSON PREZEAU: Passable?

12 BOARD MEMBER BELISLE: -- appetizing and passable to  
13 the public. Because they're concerned that there's not  
14 enough supervisors in the state of Oregon to serve the  
15 needs of the industry as others continue to not renew once  
16 they get at a certain point in their industry.

17 CHAIRPERSON PREZEAU: Interesting.

18 Any other discussion on the subject in front of us?

19 Okay, I don't know -- I don't think there's any other  
20 outstanding pieces there.

21

22 Item 4. Secretary's Report

23

24 CHAIRPERSON PREZEAU: So unless there are objections  
25 or concerns or questions, I would like to move us to

1 agenda item 4, which is the Secretary's Report.

2 SECRETARY THORNTON: Okay. So for the Secretary's  
3 Report for April, the March electrical fund balance was  
4 \$8,438,690, which is an increase of \$276,722 over the  
5 previous month. And that equates to about 4.8 months of  
6 operating costs.

7 We supplied you with this chart right here (showing).  
8 And I highlighted in yellow towards the middle of the  
9 page. That's where these numbers came from. The \$276,720  
10 under March in the top portion. Then under March in the  
11 graph in the middle shows the fund balance of \$8,438,690.  
12 And the graphs at the bottom of the page shows the revenue  
13 for the month versus the expenditures. And this is the  
14 same chart that Don Jenson gave their report on last  
15 meeting. And the average monthly expenditures for FY2015  
16 were \$1,675,600. And for the first three quarters of  
17 FY2016 it's \$1,769,000. Those numbers are represented in  
18 that bottom graph with the red column being the  
19 expenditures and the green column being the revenue.

20 So -- and we've begun the mobile inspection process  
21 that we talked about earlier. And those numbers are  
22 highlighted in green on the top left of the page. The  
23 upper number is the actual expenditures for the month for  
24 the mobile project. The lower green highlighted is the  
25 allotment. And you can see that the amount that's been

1 allotted was over. The amount spent up to this point,  
2 that is --

3 CHAIRPERSON PREZEAU: So we're under budget is what  
4 you're saying.

5 SECRETARY THORNTON: Yeah, we're spending less than  
6 what we projected.

7 It's -- there are going to be some months that don't  
8 show that from here on. Now they're into the more  
9 expensive part of writing the program in the background.  
10 Up till now it's been kind of the surface "it looks good  
11 and it operates" type stuff. Now, they have to go into  
12 the actual writing of the computer part of it to get it to  
13 function.

14 So -- yeah. And so far we've spent \$746,000, which  
15 is about \$336,000 less than what was anticipated  
16 originally.

17 At the current staffing levels, at the end of the  
18 biennium, we're going to be at about \$7 million by the  
19 time you put in the expenditures for the mobile project.  
20 So it's going to take the fund down some, but I don't  
21 think it's down nearly what it was projected in the  
22 beginning, partially because it's not costing quite so  
23 much yet, and we've done a little better permit sales-wise  
24 for the fund balance.

25 From the customer service side of things, 31,899

1 permits were sold last quarter. 29,251 of those were  
2 processed on-line. That's about 92 percent, which is  
3 about a 1 percent increase. 95 percent of the contractor  
4 permits were sold on-line. And that's pretty consistent.  
5 Homeowner permits on-line are about 58 percent. On-line  
6 inspection requests are about 82 percent. And that's up  
7 about 1 percent. As a general rule, that's what we see  
8 the customers doing a lot more is interacting through  
9 electronics and that type of stuff. It's a little more  
10 friendly to those, providing you're computer literate.

11 And 71 percent of all electrical license renewals  
12 were done on-line. And that's up about 1 percent also.

13 So as far as our performance measures, I gave you  
14 also a copy of the ScoreCard, which is the multiple pages  
15 that are stapled together.

16 And our inspections performed within 48 hours. Our  
17 goal is 94 percent. And statewide average is 94 percent.

18 When you look at the numbers on the ScoreCard, red  
19 means that we were more than 7 percent below our target.  
20 From 2 to 7 percent is yellow. And within 2 percent is  
21 green. So this quarter is by far the best. This is  
22 probably one of the slower quarters work-wise versus  
23 manpower. We'll start to show some more color after  
24 this ...

25 CHAIRPERSON PREZEAU: Yeah, because typically

1 construction, we see an uptick in warmer spring and  
2 certainly summer months, --

3 SECRETARY THORNTON: Right.

4 CHAIRPERSON PREZEAU: -- a lot of school projects.

5 SECRETARY THORNTON: And this is January, February,  
6 March that we're looking at. And now we're going to get  
7 into vacation time and so we'll have a few less staff  
8 available and the workload will go up.

9 As far as compliance goes, our anticipated number was  
10 1,052. And we wrote 1,257. Last month there was a  
11 question or a request about warnings. So at the bottom of  
12 that scale, it lists the amount of warnings. For  
13 licensing, we had about 13 percent were warnings. For  
14 certification, 27 percent. For permits, 54 percent. And  
15 for all the focused citations, about 39 percent were  
16 warnings.

17 So -- and on the inspection stops per day, it was at  
18 9.8. And electrical disconnect corrections, 10,313.

19 Licensing process turnaround, our goal is 100  
20 percent, and we were at 99 percent the same day.

21 Turn-around time for the average plan review is  
22 somewhere under a week and a half, and we're at 1.6 right  
23 now. That kind of reflects what you were talking about  
24 earlier is the school projects and stuff that are all  
25 coming in for plan review right now.

1 Did you have any questions on the ScoreCard? I see  
2 you're looking at that, Tracy.

3 CHAIRPERSON PREZEAU: Well, I just -- if I'm reading  
4 this correctly, and I'm on the third page, that focuses on  
5 number of serious corrections issued, and if I'm reading  
6 this correctly, does this say that in the entire fiscal  
7 year 2015 that statewide the Department issued 41,045  
8 serious corrections?

9 SECRETARY THORNTON: Yes.

10 CHAIRPERSON PREZEAU: What does that mean exactly, to  
11 be a serious correction?

12 SECRETARY THORNTON: Well, most corrections are  
13 looked at as serious or we wouldn't write them. I don't  
14 know that that's the total number of corrections. But  
15 most of the corrections that we write we consider to be  
16 serious.

17 CHAIRPERSON PREZEAU: So noncompliance with  
18 installation --

19 SECRETARY THORNTON: Yes.

20 CHAIRPERSON PREZEAU: It's the work itself.

21 SECRETARY THORNTON: Yes.

22 BOARD MEMBER BARKER: Is there another category of  
23 correction? Is there corrections and then serious  
24 corrections?

25 SECRETARY THORNTON: Not that we track, no. I mean,

1 you can probably do the math and find out how many others  
2 there were.

3 CHAIRPERSON PREZEAU: And then -- again, on that same  
4 page, but the very -- the fifth bar, it says number of --  
5 or excuse me -- it says dollar value and money of ECORE  
6 and audit industrial insurance refer -- can you expand on  
7 that a little bit?

8 SECRETARY THORNTON: If you look at the comments,  
9 they're off to the right of where you were talking about  
10 the total number of corrections. It says, "These  
11 corrections, if not completed, would result in compliance  
12 activity or disconnection of the power. If not abated,  
13 they pose a serious risk of fire or electrocution." And  
14 Rod was saying that that's probably about half of what we  
15 write.

16 BOARD MEMBER BAKER: Wow.

17 CHAIRPERSON PREZEAU: I just -- I find that amazing.  
18 Because basically if you divide that 41,000 by 365  
19 calendar days in a year, even though it's -- you know, at  
20 a 2,000 hour, you know, year of work, you don't work 365,  
21 that is 112 serious violations a day.

22 SECRETARY THORNTON: Do you -- how many -- how many  
23 inspections would you guess we do a day?

24 CHAIRPERSON PREZEAU: Actually we were in Spokane,  
25 and their supervisor said -- he told us -- I can't

1 remember. It's a lot.

2 SECRETARY THORNTON: Yeah. Over 1,000. We're at  
3 about 1,140 today, new requests today.

4 BOARD MEMBER BELISLE: 10 percent.

5 BOARD MEMBER BURKE: That's still 10 percent.

6 CHAIRPERSON PREZEAU: Which goes back to Don's  
7 observation, that finally we did have to do more than fog  
8 a mirror.

9 BOARD MEMBER BAKER: Just go get a motor home.

10 SECRETARY THORNTON: And another report that you guys  
11 have is this one (showing) which is the other report that  
12 Bob Thomas reported out on, which shows statewide permit  
13 sales in dollars and the number of permits and how those  
14 equate over the last since 2009, that the workload has  
15 steadily gone up. And that gives a good visual indication  
16 that things continue to get busier.

17 There looks to be quite a discrepancy between the red  
18 graph on the bottom and the top. If you look over on the  
19 right-hand side where it says "Adjusted," at about six  
20 months we go back in and look at all of the fees we've  
21 collected after the permit was sold, whether it's because  
22 the permit wasn't for the right amount, and then we adjust  
23 that number. So when we get over on the left side of the  
24 scale in that upper one, those dots will all go up about  
25 \$50,000. That's about what we collect in a month, extra

1 fees that weren't paid properly in the beginning.

2 So let's see. Then I also gave you -- I think it's a  
3 blue chart, and it shows our vacancy rate.

4 Yeah, it's that one right there, Tracy.

5 And it shows the number of vacant positions by  
6 region. Right now we have nine vacant positions. And  
7 we've double filled four positions where we could,  
8 which --

9 CHAIRPERSON PREZEAU: What does that mean, "double  
10 filled"?

11 SECRETARY THORNTON: If we have the ability, we can  
12 put two people in one position. Let's say we have a good  
13 applicant in an area that's already -- all the FTE's are  
14 full. We can go ahead and put them on, get them trained.  
15 We just have to assign them to a position number. So we  
16 assign two people to one number.

17 BOARD MEMBER BAKER: Steve, how many of the vacancies  
18 are from attrition?

19 SECRETARY THORNTON: And what's your definition of  
20 "attrition"?

21 BOARD MEMBER BAKER: Somebody retired, quit.

22 SECRETARY THORNTON: Over time it's about 6 percent  
23 vacancies due to people quitting, retirements. That kind  
24 of goes up and down.

25 Right now we only have one pending retirement. And

1 that's pretty low. We've got just one person that's  
2 announced their retirement before the 1st of July. We've  
3 probably got 20 that will be eligible to retire in the  
4 next year.

5 And like we talked before, there's a huge amount of  
6 our inspections that are new because of the turnover and  
7 people retiring. Probably about 60 percent of our staff  
8 have been here less than five years. And in the next  
9 three years, probably 30 percent of what's left will  
10 retire. So we'll have a very small amount or very small  
11 portion of the staff will be -- have a large amount of  
12 experience as inspectors.

13 CHAIRPERSON PREZEAU: All right. So I would like to  
14 recommend to the Department that the entire audit division  
15 is not eligible for retirement.

16 BOARD MEMBER BELISLE: Second.

17 SECRETARY THORNTON: Or at least not until after I  
18 do.

19 CHAIRPERSON PREZEAU: Don.

20 BOARD MEMBER BAKER: So Steve, I go back to the  
21 on-line permits.

22 SECRETARY THORNTON: Uh-huh.

23 BOARD MEMBER BAKER: I assume it takes more effort  
24 and more work to do an over-the-counter permits and  
25 process a non-electronic inspection request than it does

1 for the folks that do the on-line -- use the on-line  
2 service?

3 SECRETARY THORNTON: Yes.

4 BOARD MEMBER BAKER: How can we encourage those folks  
5 that don't use the on-line service to ...

6 SECRETARY THORNTON: Discontinue the ability to do  
7 them any other way. Yeah, that'll get you -- that'll make  
8 my phone ring. No.

9 Just about anybody that has the ability to do it  
10 on-line is doing it. A lot of homeowners, first-time  
11 people, that don't realize they can, they end up at the  
12 front counter. So we rather than send them away, we'll  
13 take care of them while they're there. But they are  
14 one-time operators, so they don't come back because they  
15 don't do any more electrical work.

16 BOARD MEMBER BAKER: Could you charge an additional  
17 fee for over-the-counter permit versus an on-line permit?

18 SECRETARY THORNTON: I mean, I suppose we could.  
19 Adding fees is a tough deal. We can adjust the ones we  
20 already have. But to add another one is hard to do these  
21 days.

22 CHAIRPERSON PREZEAU: Well, I think to Don's point, I  
23 think we have some precedent. Because past chiefs we were  
24 talking about renewal -- on-line renewal of certificates,  
25 there was a financial incentive given, and it was cheaper

1 to renew your certificate on-line than it was over the  
2 counter. So we certainly maybe -- when we do rulemaking,  
3 Ms. Jeffrey indicated maybe next year, whatever that  
4 looks like, we can keep hold of that.

5 I was going to -- Rod, go ahead.

6 BOARD MEMBER BELISLE: Well, just from a logistics  
7 standpoint, we allow people to enroll for classes on-line,  
8 and people come to our counter and want to enroll, and we  
9 actually have a computer in the lobby that if they would  
10 like, they can walk over and use that computer and because  
11 they didn't know they could or they didn't have one, but  
12 once they're standing there they can either sit there and  
13 recite their address to us and we type it in or they can  
14 go over there and do it themselves. And if they can save  
15 2 percent or something, maybe that would be incentive  
16 to ...

17 SECRETARY THORNTON: And we've tried that in some of  
18 our offices. And it depends on who you talk to, what you  
19 hear. Some people will tell you, Well, yeah, we tell them  
20 it's there, but we just go ahead and do it for them. It  
21 would probably be more efficient and have more people do  
22 it that way if you just said, "There's the computer; I'll  
23 help you." And they had to do it that way. But you get  
24 arguments of how good a customer service that is when you  
25 do that.

1           CHAIRPERSON PREZEAU: Well, and as a -- you know, my  
2 husband and I did a substantial remodel of the main floor  
3 of our house which involves getting an electrical permit  
4 from Tacoma Public Utilities because I reside in their  
5 service area. And I walked -- you know, I walked in and  
6 went and talked to the inspector because I was not 100  
7 percent sure what the cost of the permit, like which  
8 permit do I need.

9           So yes, it took -- you know, I had an opportunity,  
10 which was cool, to talk to some folks at Tacoma Public  
11 Utilities. But I also more accurately obtained the  
12 correct license and paid the correct fee because I --  
13 because of that consultation. So I think in some  
14 instances there's value, not only in that customer  
15 service, but collecting the appropriate -- because if I  
16 worked it out on a kiosk, you know, maybe I would have  
17 selected the wrong permit type, which probably would be  
18 corrected at some point.

19          SECRETARY THORNTON: Right. And that's where we get  
20 our adjusted fees on here. And when we went to on-line  
21 permitting, it was interesting to see how many people  
22 would buy a permit for the least expensive thing they  
23 could find in the list, and that happened to be a refund  
24 request that cost \$11.50. They didn't care what it said.  
25 It was just what's the cheapest one.

1           So there are some down sides to the electronic thing.

2   But ...

3           CHAIRPERSON PREZEAU:   And the other thing that I want  
4   -- and I don't know, Steve, I don't know if you are -- you  
5   know, Randy Scott sits in the public member seat.  And  
6   before him, his predecessor was a woman by the name of  
7   Cathy Bailey Bright.  And she used to harp on the previous  
8   chief about a mobile phone application for inspection  
9   requests and permit purchases and sort of rebuffed at a  
10   number of different venues.  And since you're going --  
11   since you're consulting with, you know, IT gurus about the  
12   mobile inspection system, I would beg you, implore you to  
13   inquire about sort of this streamlining even more so --  
14   like what would it take to create a mobile app for  
15   contractors and for permits, and like to make the folks  
16   that are embracing the technology, make it even more  
17   efficient.

18          SECRETARY THORNTON:   And we have looked at the new  
19   mobile project that we're doing, being able to notify you  
20   instantaneously of corrections or your jobs of past.  But  
21   it's interesting to see the uphill battle that is within  
22   our agency as far as wanting to go there.  But we're  
23   headed that direction, though.

24          CHAIRPERSON PREZEAU:   Like it or not, that's what's  
25   happening.

1 SECRETARY THORNTON: Yeah, that's the world today.

2 CHAIRPERSON PREZEAU: All right. Beautiful.

3 BOARD MEMBER GRAY: Madam Chair, I have a question.

4 Steve, I'm still concerned about the number of  
5 serious citations that --

6 SECRETARY THORNTON: Citations or corrections?

7 BOARD MEMBER GRAY: Corrections. The ones that have  
8 the potential to cause a fire or electrocutions. And the  
9 fact that inspectors are making ten stops a day. It makes  
10 you wonder how many are not getting caught, if that's the  
11 case.

12 And so now that we have a surplus budget, I'm  
13 wondering if it would be feasible to bring in an  
14 independent assessment, go see if we can't find out  
15 perhaps the reason why. Because I would think journeyman  
16 wiremen are not intentionally violating codes and creating  
17 these hazards. So perhaps maybe it's the quality of  
18 training or education that may be the cause of the number  
19 of these. And if so, is there something we could do  
20 perhaps to improve that education, maybe like having the  
21 inspectors do training as a side task or something along  
22 those lines.

23 But my question really is: Would it be feasible to  
24 have an independent look at what's causing this?

25 You don't have the manpower to go perform an

1 assessment like that, and I don't think that would be  
2 advantageous. If an inspector came to me and says, "Why  
3 did you screw up?" I'm going to tell him something, but  
4 probably not the truth. But if an independent review goes  
5 out and asks the person, "All right. You have this  
6 violation. We promise you we're not going to tell the  
7 state" --

8 CHAIRPERSON PREZEAU: There's no repercussion.

9 BOARD MEMBER GRAY: No repercussions for this. Can  
10 you help us understand why he did it? Did he disagree  
11 with the citation? Did you just not understand it? Why?  
12 But there just seems to be an awful lot of them that  
13 should not be reoccurring I would think by certified  
14 electricians.

15 SECRETARY THORNTON: Probably a larger percentage  
16 than you might think are homeowners of the corrections.  
17 So -- and that is truly just not knowing, thinking that as  
18 long as it works I'm okay. And there are some that can  
19 make just about anything work. Some of them have quite a  
20 lengthy list of corrections or jobs that have been worked  
21 on for years by a homeowner and the next one buys a permit  
22 and then we get into a middle of a mess that needs cleaned  
23 up, and that will generate a lot of corrections.

24 CHAIRPERSON PREZEAU: So Kevin and then Rod.

25 BOARD MEMBER SCHMIDT: Well, that kind of answered my

1 question. I was going to ask how many of the serious  
2 corrections were actually based upon licensed electricians  
3 as opposed to homeowners or as opposed to apprentices.

4 And I don't know if you have --

5 SECRETARY THORNTON: I don't. I would say that the  
6 percentage is way over the, you know, on the side of the  
7 homeowner than it is the contractor. Not in every case.  
8 But a lot of the times that's the case.

9 CHAIRPERSON PREZEAU: Rod.

10 BOARD MEMBER BELISLE: I guess I'm curious if you've  
11 ever collaborated with other agencies, other states to see  
12 if this is consistent in Oregon and Idaho and California  
13 and on down the road there, if this is typical of the  
14 entire electrical industry probably or if Washington is  
15 high or low because there's a lot of different training  
16 requirements and different license requirements in the  
17 different states, and I would be curious how it compares  
18 with some of the ones that are similar versus maybe the  
19 ones that aren't as strict or what have you.

20 SECRETARY THORNTON: And we haven't, that I know of.

21 CHAIRPERSON PREZEAU: Milton, how are you doing on  
22 paper? You okay?

23 THE REPORTER: Just waiting for a break. So ...

24 CHAIRPERSON PREZEAU: Why don't you go ahead. And  
25 let's let Milton change his paper.

1 (Briefly off the record.)

2 CHAIRPERSON PREZEAU: All right. Super.

3 So John.

4 CHAIRPERSON PREZEAU: Yeah, I was just going to  
5 comment that considering the number of inspections even  
6 though that number of corrections is large, 10 percent  
7 justifies the need for an inspector and inspections. If  
8 you had zero ...

9 CHAIRPERSON PREZEAU: So Bobby, did you get an answer  
10 really on your like independent consultation question?

11 BOARD MEMBER GRAY: Well, it just seems like this  
12 would be a good time if we wanted to do some sort of a  
13 study like that, that we do have the funds to that which  
14 may not always be the case.

15 I would certainly be interested in knowing -- and  
16 even if it is the homeowners, and I accept that's probably  
17 what it is, it might still offer an opportunity. It's not  
18 acceptable I wouldn't think to us to have the possibility  
19 of a situation where it could create a fire electrocution  
20 even for a homeowner. So at least if that's the answer,  
21 that's the answer. But still that should not be  
22 acceptable to us. And so maybe with that information we  
23 could then think about some additional things that could  
24 be done perhaps to educate the homeowner. In other words,  
25 before you get an exam, you may have to take an on-line

1 course, something brief that maybe reduce the risk of even  
2 a homeowner or self -- a person that's doing their own  
3 work, make them a little more educated that perhaps we  
4 wouldn't run such a high risk.

5 And I appreciate the fact that these guys are doing  
6 such a good and thorough job. No question there. But we  
7 should not be waiting for that last barrier to ensure  
8 somebody didn't burn their house down and create a hazard  
9 for their children or anyone else.

10 CHAIRPERSON PREZEAU: So what I -- I want -- just to  
11 echo I think, Rod, your question about like where we fit  
12 in the rest of the licensed states, I think that's a  
13 really valid question. And I would ask the Chief to maybe  
14 see if we can do some research on that; have one of your  
15 technical specialists or somebody do some research on  
16 that.

17 And then additionally I like the way -- because it's  
18 sort of like -- I'm going to use Don's like "let's go buy  
19 a motor home" analogy is maybe if you have -- when you're  
20 buying a permit -- when a homeowner is buying a permit  
21 that there would be some additional -- that like you can  
22 pay for the permit, but it doesn't become active until you  
23 watch this 12-minute video of electrical safety or  
24 something. I mean, it's definitely not -- it's a little  
25 bit more than fog the mirror. But it's not "Let's go get

1 in the motor home and drive down the street." Right?

2 It's a little bit of, "Hey, let's create some greater  
3 understanding around electrical safety, especially if  
4 you're going to do your own work."

5 SECRETARY THORNTON: And I think part of the theory  
6 in the beginning at least was that make sure they buy a  
7 permit so that we can go look at it and get it  
8 straightened out. The higher you move the threshold, the  
9 more people are going to just say, "Nope, I'm not going to  
10 do that. I'm just going to do the work. And if I get  
11 caught, I'll deal with it." So you'll probably have a  
12 larger percentage of work not looked at and more safety  
13 issues by doing that than the current way.

14 But it always sounds like the thing to do to make  
15 sure people are knowledgeable.

16 I mean, the other thing you're going to find out when  
17 you look at the permits is that small companies, one-,  
18 two-, three-man operations that are so busy doing the book  
19 work and the work and the bidding and all that stuff, they  
20 depend on us to be their quality control.

21 So that's another place where you'll see a large  
22 percentage of the corrections.

23 CHAIRPERSON PREZEAU: And for the record, you know, I  
24 mean, I, you know, I understand that you want to achieve  
25 that balance of making sure that people buy the permit and

1 get their -- it's really about inspection.

2 SECRETARY THORNTON: Right.

3 CHAIRPERSON PREZEAU: In my experience, the costs of  
4 electrical permits is so much more reasonable than  
5 building permits.

6 SECRETARY THORNTON: Oh, yeah.

7 CHAIRPERSON PREZEAU: And my experience is, you know,  
8 it's an \$80 electrical permit to remodel my entire main  
9 floor of my house, and it was a \$3,500 building permit.  
10 Right? Yeah. Wow.

11 SECRETARY THORNTON: And that's closer than a lot of  
12 places.

13 CHAIRPERSON PREZEAU: Okay. Any other questions?

14 I have a couple, and that is in the last meeting, you  
15 -- Rod Belisle asked a question about he'd be curious to  
16 see the miles driven per inspector per inspection.  
17 Remember that?

18 BOARD MEMBER BELISLE: Uh-huh.

19 CHAIRPERSON PREZEAU: And Steve, you said, "Hey, we  
20 can run a report on that next time."

21 I know we asked you for a lot of information, but ...

22 SECRETARY THORNTON: Statewide average is --

23 CHAIRPERSON PREZEAU: Is that in here?

24 SECRETARY THORNTON: No. But I run that report all  
25 the time.

1 But it's about 80 miles.

2 CHAIRPERSON PREZEAU: Per inspector?

3 SECRETARY THORNTON: Per inspector per day. So --

4 CHAIRPERSON PREZEAU: So you can say -- so if the  
5 statewide average is 80 miles per day, then the average  
6 per inspector per inspection given 10 stops is 8.

7 SECRETARY THORNTON: Yeah.

8 CHAIRPERSON PREZEAU: Wow, I have to do math in front  
9 of other people.

10 SECRETARY THORNTON: That was easy math.

11 CHAIRPERSON PREZEAU: Any other questions for Steve  
12 under Secretary's Report?

13 SECRETARY THORNTON: I think one other thing that  
14 came up last month was the PSI, the testing.

15 CHAIRPERSON PREZEAU: Yeah. I was just going to -- I  
16 didn't know if we were going to talk about that now or in  
17 the certification, request for proposals.

18 SECRETARY THORNTON: Right. That's -- they were the  
19 only ones who submitted a proposal. The contract's been  
20 signed, and it is effective April 30th.

21 They're doing some -- shipping it back and forth  
22 through the mail, getting it all signed. But that's in  
23 the process right now.

24 And for this quarter, 6,948 electrical licenses were  
25 processed. And we were able to fill two of our vacant

1 positions that we've been trying to fill through  
2 promotions, people promoting out to other places.

3 Our turn-around time has been at 99 percent the same  
4 day.

5 Phone calls have remained steady.

6 And licensing has generally been able to maintain  
7 hold times of a minute or less. So we don't leave people  
8 sitting on the phone for very long.

9 Testing lab report. We've got no new testing labs.

10 And I think that's everything that I've got.

11 CHAIRPERSON PREZEAU: All right. Any questions for  
12 Steve on the Secretary's Report?

13 I'm kind of assuming -- I mean, I'm watching the  
14 clock, and it's 20 minutes after 12:00. And we a report  
15 from technical specialist Larry Vance regarding  
16 certifications and blah, blah, blah and exams and then  
17 public -- I mean, it's good stuff. But -- I love it  
18 actually. Yada, yada, yada. Yada, yada, yada,  
19 certification.

20 And then we have public comment, which I'll go check.  
21 But I'm making an assumption that the Board and the  
22 stakeholders are more interested in completing the agenda  
23 than breaking for lunch and coming back and hearing --

24 SECRETARY THORNTON: Yada, yada, yada, yeah.

25 CHAIRPERSON PREZEAU: So Mr. Vance, if you would be

1 kind enough to join us, that would be great.

2

3 Item 5. Certification/CEU Quarterly Report

4

5 MR. VANCE: Hello, Madam Chair, member of the Board.

6 My name is Larry Vance. I'm a technical specialist. I

7 work for Steve Thornton.

8 And I have some information here regarding the

9 passing rate for our electrical examinations.

10 It was interesting listening to the Board when we

11 were talking about administrators exams. And if anyone

12 has a copy, I think everyone was given electronic copies;

13 I'm not sure everyone has paper copies. But I'll just

14 kind of break it down for you.

15 CHAIRPERSON PREZEAU: A paper copy of all these?

16 MR. VANCE: Of all the -- it's 20 pages. It's all of

17 the exam pass rates.

18 CHAIRPERSON PREZEAU: Yep, we have it.

19 MR. VANCE: But for the administrator's examination,

20 the 01 administrator's exam, there was 227 people that

21 attempted the exam. Part of them took the examination

22 based on the 2008 NEC, and some of them took it on the

23 2014 NEC. Those exam pass rates are pretty consistent.

24 They're within a point of each other. And the pass rate's

25 21 percent.

1           So the administrator's exam is not a -- certainly not  
2 a walk-through. It's actually quite a low pass rate.  
3 That would probably support the fact that most people that  
4 take the administrator's exam aren't really prepared to  
5 take the administrator's exam that, you know, since anyone  
6 can apply, anyone can go take the exam. 20 percent of  
7 them pass it the first time.

8           Looking further here that the -- on the second  
9 attempt, it looks like 45 percent of them pass it. So  
10 they go back and get studied up.

11          The journey level exam rate, we've been watching that  
12 because, you know, changing from the 2014 to the 2008 --  
13 '08 to the '14, there's been a little bit of difference.  
14 But it seems to be coming together. They're within 4  
15 percent of each other now, and there's about an equal  
16 number of candidates on each side. There was 411 that  
17 took the 01 exam based on the 2008, and 459 that took it  
18 on the 2014. That's a total of 870 candidates during this  
19 one-year period. But that pass rate is somewhere around  
20 -- if you combine the two of them, somewhere around 47  
21 percent pass it the first time.

22          In the past I talked about apprenticeship rates.  
23 Pass rates are quite significantly higher than that. This  
24 is a pass rate, of course, that shows it's an average of  
25 all candidates -- OJT candidates and apprenticeship

1 candidates, people traveling from out of state.

2 I also provided the Board with a report of exam  
3 results by test location that shows the capabilities of  
4 PSI to deliver examinations all around the United States  
5 and how much people take advantage of that. People are  
6 testing, come to Washington to go to work all over the  
7 United States. So it's nice to have a testing agent -- or  
8 testing company to provide that kind of service to people.

9 CHAIRPERSON PREZEAU: So Larry, if I could interrupt  
10 you, I'm looking at page 6 of this exam report, and I'm  
11 looking at the 01 general journeyman's exam, and there's  
12 two breakouts. Which one is for examinations taken on the  
13 2008 code and which one is 2014?

14 MR. VANCE: Well, there's one that it would be the  
15 second group down. It's the electrician 01 exam 2014 is  
16 what it's labeled. The other one that's just labeled  
17 nothing, that's the 2008.

18 CHAIRPERSON PREZEAU: That's what I figured. But I  
19 just wanted to ...

20 MR. VANCE: Yes.

21 And come July, we'll be all on the 2014. Well have  
22 no first-time candidates left.

23 CHAIRPERSON PREZEAU: And so when I look at this --  
24 like when I was looking/reviewing this and, you know,  
25 comparing 2008 to 2014, you know, there's a 10 percent

1 swing in the pass rates from, you know, in the two  
2 thousand -- using the 2008 code, first-time pass rates  
3 percentage-wise is 46 percent. And -- oh, excuse me.  
4 It's only five. It's five points, right?

5 MR. VANCE: Yep.

6 CHAIRPERSON PREZEAU: Okay, never mind. I was  
7 looking -- for some reason, I keyed in on second attempt.  
8 So that's not too surprising to you.

9 MR. VANCE: Yeah, we're still dealing with that.  
10 We've got a half a year's worth of a half a year period of  
11 we don't know who came in to take it, and a half a year  
12 period of we don't know who came in to take it. Until we  
13 have a one-year sample, we don't know how many  
14 apprenticeship classes came in to take it. You know, we  
15 need to let it kind of --

16 CHAIRPERSON PREZEAU: Do its thing.

17 MR. VANCE: -- homogenize.

18 CHAIRPERSON PREZEAU: Because what's funny is the 01  
19 general journeyman exam, the pass rate on the 2014 code  
20 increased, and then when you look at residential, it  
21 decreased by about the same margin. Right?

22 MR. VANCE: Yeah.

23 CHAIRPERSON PREZEAU: So it's kind of all over the  
24 Board.

25 MR. VANCE: Yeah. Until we get a year's worth of

1 candidates' results to proctor, we can't really say that  
2 it's easier or not.

3 CHAIRPERSON PREZEAU: Alice was just pointing out  
4 that she's --

5 BOARD MEMBER PHILLIPS: I'm amazed.

6 CHAIRPERSON PREZEAU: She's amazed that an individual  
7 would sit for the general journeyman's exam 22 times and  
8 still not pass the test. Because that's what the report  
9 reflects.

10 MR. VANCE: Uh-huh. You have a few frequent flyers.

11 Part of our new contract with PSI is going to more  
12 closely administer the exam according to the exam  
13 guidelines. You're supposed to wait a couple of weeks  
14 before you take the exam again. You get to do that three  
15 times, and then it's every three months you get to take  
16 the exam. So there's some IT mechanisms that need to  
17 happen within L & I and --

18 CHAIRPERSON PREZEAU: So those safeguards or those  
19 parameters are adhered to.

20 MR. VANCE: Right.

21 So that -- we won't see that in the future. I mean,  
22 everybody will still have great access to the examination.  
23 But if you look at that and if you were to throw a dollar  
24 number on that, let's say it's \$80 each time they take an  
25 exam, I mean, yeah, it's -- yeah, it's a substantial

1 investment.

2 CHAIRPERSON PREZEAU: Which might have been better  
3 served by taking some classes.

4 Alice has a couple questions.

5 BOARD MEMBER PHILLIPS: Well, I mean, this has just  
6 kind of intrigued me here.

7 So is there -- am I not reading on here -- like on  
8 page 6, the 01 general exam, top of the page, 22 attempts;  
9 number of passes, zero. Is there anywhere on here that  
10 tells you how close they came to passing?

11 MR. VANCE: No.

12 BOARD MEMBER PHILLIPS: Did they miss by one or did  
13 they miss by 50 or ...

14 MR. VANCE: We don't know. We'd have to have the  
15 candidate's identity in order to do that.

16 BOARD MEMBER PHILLIPS: Oh. That's fine. I'm just  
17 curious if it's like -- okay, thanks.

18 MR. VANCE: Yep.

19 BOARD MEMBER PHILLIPS: I think you answered my other  
20 question about how often.

21 CHAIRPERSON PREZEAU: Yeah, and Larry, I found this  
22 report, the like hundred and some page report, 133-page  
23 report about accessibility of the examinations and where  
24 people are taking them. And particularly interesting  
25 from my perspective was, you know, in addition -- you

1 can look at where people out of state are taking the  
2 administrator's exam, which tells me like -- I mean, as  
3 far away as Charlotteville and Memphis, like folks a long,  
4 long way away are interested in the construction market in  
5 Washington, which I would imagine if we were to have this  
6 reports in 2010, 2011, it may tell a different story  
7 because we didn't have a whole lot of work.

8 MR. VANCE: Right.

9 CHAIRPERSON PREZEAU: Really appreciate these  
10 reports. I find the numbers to be fascinating.

11 To use Bob's, you know, he was here and gave us all  
12 those reports. It was like every report tells a story.  
13 It's nice to know what the story is.

14 Rod.

15 BOARD MEMBER BELISLE: I noticed that the states --  
16 the people coming from the different states, and I kind of  
17 had to wonder if because of the continued ed requirements  
18 that exist, there's a lot of out-of-state providers that  
19 provide CEU classes. But in order to provide a Washington  
20 -- a WAC class they would have to hold a Washington  
21 license. I'm wondering if that justifies some of these  
22 people that are taking tests from, you know, all over the  
23 country if they might be CEU providers trying to qualify  
24 to get approved classes. Do you know?

25 MR. VANCE: Could be. It could be. In order to be a

1 -- one of the easiest ways to become, there's four or five  
2 criteria for being a CEU instructor. And to meet the  
3 minimum instructor requirement, what they can do is they  
4 can obtain an administrator certificate. So that could be  
5 it also. People wanting to gain that credential so that  
6 they can be a CEU provider.

7 CHAIRPERSON PREZEAU: Any other questions for Larry?  
8 All right. Thank you very much.

9 MR. VANCE: All right. Thank you.

10 CHAIRPERSON PREZEAU: Okay. So I just went and got  
11 this -- this has got to be a first. There are no  
12 individuals indicating -- who have signed in indicating  
13 that they request to speak to the Electrical Board.

14 Wow. This is not exactly how this day -- I thought  
15 this day was going to go.

16 SECRETARY THORNTON: I didn't either. I was thinking  
17 about fighting traffic.

18 CHAIRPERSON PREZEAU: Yeah, two months ago we thought  
19 this was going to be a two-day meeting -- a hearing -- or  
20 a -- yeah, a two-day meeting.

21 All right. So unless there are any outstanding  
22 questions for the Board members, for the Chair, for the  
23 Chief --

24 Janet.

25 BOARD MEMBER LEWIS: No questions. Just a comment

1 that I personally want to thank all the electrical  
2 inspectors and the E CORE, I mean, everybody who doesn't  
3 always get publicly acknowledged because what all of you  
4 do every day is very important.

5 And we had a good example of the violators that are  
6 out there.

7 So thanks to the E CORE, but also the everyday  
8 inspectors who are on the job watching out for public  
9 safety. Thank you.

10 BOARD MEMBER BELISLE: Absolutely.

11 CHAIRPERSON PREZEAU: I would echo that.

12 It's a pretty amazing program. And it rises -- the  
13 success of the program really rises and falls on the  
14 people that are walking the beat.

15 BOARD MEMBER BELISLE: I know we typically leave  
16 these here, but is there a likelihood that we may want to  
17 hang onto this for future discussion or ...

18 CHAIRPERSON PREZEAU: So Rod, you're talking about  
19 the exhibits from the --

20 BOARD MEMBER BELISLE: Yeah.

21 CHAIRPERSON PREZEAU: -- from the original hearing?

22 ASSISTANT ATTORNEY GENERAL REULAND: So if you're  
23 going to have future discussion, you would need to have  
24 that information maybe presented by the Department in a  
25 different format. These are exhibits, and so they're

1 technically -- you each have a copy, but they are now part  
2 of the record that goes with any future appeal. And if  
3 you have a need for that information in a future  
4 discussion that's not related to an appeal, then you  
5 should have that information presented to you in a  
6 different format.

7 CHAIRPERSON PREZEAU: Does that answer your question?

8 BOARD MEMBER BELISLE: Absolutely.

9 CHAIRPERSON PREZEAU: Don.

10 BOARD MEMBER BAKER: It's been a while, but we talked  
11 one time about getting electronic devices where we store  
12 all this stuff and brought the devices to the meeting  
13 versus having -- killing trees every day in the evergreen  
14 state. Did that idea die or was it just kind of a quick  
15 discussion and not really a serious discussion?

16 CHAIRPERSON PREZEAU: Well, I don't know about -- I'm  
17 actually struggling recalling that discussion, to be  
18 honest with you.

19 BOARD MEMBER BAKER: We talked about getting  
20 electronic devices for the Board members and --

21 CHAIRPERSON PREZEAU: Like tablets?

22 BOARD MEMBER BAKER: Yeah, the tablet.

23 BOARD MEMBER NORD: I remember that discussion.

24 BOARD MEMBER BAKER: That would hold all this data,  
25 and we'd have at our fingertips at these meetings.

1 I like -- you know, I'm a paper guy too. I like  
2 having some things in paper. But going to Rod's point, if  
3 we had an electronic device that was assigned to each  
4 member and it was brought to every meeting, we wouldn't  
5 have to kill a tree every time we ...

6 CHAIRPERSON PREZEAU: Alice.

7 BOARD MEMBER PHILLIPS: I can see where some of that  
8 would work. But for me, I kind of reference back and  
9 forth. And if you have on a tablet, you wouldn't be able  
10 to do that.

11 BOARD MEMBER BAKER: Yeah, I like some things in  
12 paper too.

13 BOARD MEMBER PHILLIPS: I mean, the agenda and maybe  
14 some things like that. But when it comes to other  
15 documents ...

16 CHAIRPERSON PREZEAU: Yeah, so maybe the balance is,  
17 you know, instead of -- maybe when it comes to appeals,  
18 whether original appeals or appeals from the Office of  
19 Administrative Hearings, we do paper. But then like  
20 these, like these humongous exam reports could be  
21 electronic on a tablet. And your Secretary's reports and  
22 these cool ScoreCards like could be uploaded with all the  
23 super cool stuff that we could look at.

24 SECRETARY THORNTON: We have all those things. I  
25 just end up printing them to bring them here. So we could

1 send them just as easily.

2 CHAIRPERSON PREZEAU: Yeah. So what he's asking for  
3 is an expenditure, right? I don't know exactly how that  
4 works. I don't know what a tablet costs. I don't know  
5 what 13 of them would cost.

6 But I guess the question is: Would you be willing to  
7 look into that for the Board members?

8 SECRETARY THORNTON: I can look into that, yeah.

9 CHAIRPERSON PREZEAU: Very good.

10 ASSISTANT ATTORNEY GENERAL REULAND: But they would  
11 have to stay here. They would -- in terms of the use of  
12 public resources, they would have --

13 CHAIRPERSON PREZEAU: Yeah. I mean, they would be --  
14 so Bethany would get to dole them out at every meeting and  
15 shlep them around and -- doesn't that sound like fun?

16 MS. RIVERA: Sure.

17 SECRETARY THORNTON: Can I retract that statement  
18 that I'll look into it?

19 BOARD MEMBER PHILLIPS: I'll tell you what. Reading  
20 off of this (demonstrating) is not good. I would  
21 personally use my laptop. I wouldn't use a tablet. Now  
22 you're talking -- so I mean, if you're looking at that,  
23 why wouldn't we just PowerPoint it onto the screen.

24 CHAIRPERSON PREZEAU: Because then you couldn't check  
25 your Facebook account.

1 All right. Any other outstanding questions,  
2 concerns? If not, the Chair would entertain a motion to  
3 adjourn.

4

5 Motion to Adjourn

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7 BOARD MEMBER BELISLE: So moved.

8 BOARD MEMBER LEWIS: Second.

9 CHAIRPERSON PREZEAU: Moved and seconded to adjourn.

10 All those --

11 Bethany -- oh, parking. Oh.

12 MS. RIVERA: The parking.

13 CHAIRPERSON PREZEAU: Get us out of jail, Bethany.

14 MS. RIVERA: So have you guys -- did you guys park in  
15 the lot a couple of sky bridges over? Are you sky bridge  
16 level and up?

17 THE BOARD: (Various responses.)

18 MS. RIVERA: Okay. So the way that the parking works  
19 here is at 9:00 he came around and put an envelope your  
20 guys' window. And I guess he checks boxes every hour. So  
21 what I'll do is I will go downstairs and -- I mean, you  
22 could pay for it yourself, and then submit it on the  
23 travel voucher, and then we would repay you for that, or  
24 else I could collect them. So ...

25 CHAIRPERSON PREZEAU: Okay. So let's do this before

1 we adjourn. It's adequate time to -- because Bethany may  
2 need to eat lunch and leave here -- if you want the  
3 Department -- if you want to give your envelope to  
4 Bethany, like you have to do so before 1:00. Is that  
5 reasonable?

6 MS. RIVERA: Yeah.

7 CHAIRPERSON PREZEAU: Or if you don't, then you can  
8 expense it on the expense voucher and still have the  
9 Department pay for your parking costs. But you don't have  
10 to turn in your envelope today. Is that clear?

11 Okay. Bethany, anything else?

12 MS. RIVERA: You know, I can wait down at the bottom,  
13 and just when you drive out, I can grab them.

14 CHAIRPERSON PREZEAU: Really?

15 MS. RIVERA: I guess.

16 CHAIRPERSON PREZEAU: You're willing to do that?

17 MS. RIVERA: It's not raining, is it?

18 CHAIRPERSON PREZEAU: I was more thinking that people  
19 would have to go get their envelope and bring them back in  
20 here while you guys -- you have to break this thing down.

21 MS. RIVERA: I keep getting a hard time from Larry.  
22 So I will ...

23 CHAIRPERSON PREZEAU: I would say -- like I vote --  
24 because out of a safety concern, I vote you stay in this  
25 room, and anybody who wants the Department to pay their

1 parking cost up-front needs to go to the parking garage,  
2 get their envelope and bring it back here.

3 MS. RIVERA: Okay.

4 CHAIRPERSON PREZEAU: All in favor of adjournment,  
5 signify by saying "Aye."

6 THE BOARD: Aye.

7

8 Motion Carried

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10 CHAIRPERSON PREZEAU: Opposed? We are adjourned.

11 (Whereupon, at 12:37 p.m.,  
12 proceedings adjourned.)

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