

RHODE ISLAND DEPARTMENT OF LABOR & TRAINING

DIVISION OF PROFESSIONAL REGULATION

BOARD OF EXAMINERS OF ELECTRICIANS

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

WEDNESDAY, July 18, 2012

9:30am

In attendance:

Frank Benell, Jr.

Keith Burlingame

Stanley Davies

William Lepore, Jr., Chairperson

Robert Zuba

Michael Daley was not in attendance. Also in attendance were Glenn Dusablon, Chief Electrical Investigator; Benjamin Copple, Legal Counsel and Robert Gaj.

1.) Call to Order: William Lepore, Jr, Chairperson, called the meeting to order at 9:37am.

2.) Approval of Minutes: Stanley Davies made a motion to accept the minutes of the previous meeting, June 13, 2012, as written; seconded by Frank Benell, Jr. and passed unanimously by the Board.

3.) Conflict of Interest ;V Not addressed.

4.) Violation Appeal Hearings:

Richard Saraf DBA Saraf Electric (Violation # 4240): Glenn Dusablon informs the Board that Richard Saraf paid the fine for the violation. The hearing did not take place.

Joseph Lapomardo (Violation # 4239): Joseph Lapomardo does not appear for today's hearing. There is a discussion. The case is called. This is a continuation of the hearing that occurred at the previous meeting held on June 13, 2012. Glenn Dusablon and Sean Nolan, Implementation Aid for the department, are sworn in for testimony. Ben Copple, Legal Counsel, questions Mr. Dusablon and Mr. Nolan regarding notice of today's hearing to Joseph Lapomardo. The hearing notice was marked Exhibit A and USPS.com tracking confirmation of the certified mail verifying delivery was marked Exhibit B. Keith Burlingame made a motion that, based on evidence presented, Mr. Lapomardo was given adequate notice to appear and failed to appear and the appeal should be denied. Mr. Copple addressed the Board. Legal Counsel recommends that Frank Benell not vote as he was not present for the testimony heard at the June meeting but will count for quorum purposes.

Keith Burlingame amends his motion that based upon testimony that

was presented at the June 13th hearing, where Mr. Lapomardo was present, there was sufficient evidence to find that the violation did occur; seconded by Stan Davies. There was no opposition.

Keith Burlingame made a motion to uphold the fine of \$500.00; seconded Stan Davies. There was no opposition.

The recommendation will be forwarded to the Director.

End of hearings.

5.) Steve Owen, out of state 15 Hour Continuing Education Provider, requesting to be recertified as a provider: This item was on the agenda last month. Glenn Dusablon requested clarification of the Board's decision from the June meeting regarding Mr. Owen's need to attend a provider seminar. There was a discussion. Keith Burlingame made a motion based upon the Board's discussion, the applicant's, Steve Owen, telephone conversation with Glenn Dusablon coupled with Robert Zuba's review of his written material satisfies the requirement of attending a seminar and we authorize his provider number being issued; seconded by Stan Davies and passed unanimously by the Board.

6.) Legal Counsel to address the Board regarding Craigslist advertisements: This agenda item followed the hearings and was heard out of order. The Board previously requested a letter be sent to

the Director concerning Craigslist problems. Glenn Dusablon, Chief Electrical Investigator, and Bill Lepore, Board of Examiners of Electricians Chair, met with Sean Fontes, Executive Legal Counsel; Benjamin Cople, Legal Counsel and Joseph Degnan, Assistant Director. Mr. Cople addressed the Board. The following recommendations were made:

- 1. Write a letter to Craigslist describing the problem and asking them to take steps to better police advertisements that are put on Craigslist in RI and require the posters to put a license numbers in ad.**
- 2. Flag ads on Craigslist**
- 3. Put a warning on the DLT website's homepage warning people to check for licenses.**

Glenn Dusablon, Chief Electrical Investigator, addressed the Board on another issue regarding labor pool companies: Mr. Dusablon addressed the Board on the increasing problem of labor pool companies sending out individuals as electricians to work for other companies. Those companies then pay the labor pool company for their services. Mr. Dusablon noted the Babies R Us investigation. Mr. Dusablon discovered another instance of an individual working for a labor pool company through an application that was submitted for testing. Under the electrical law a labor pool company cannot employ an apprentice or an installer (i§B_i" or i§BF_i" license holder) unless they hold an i§A_i" or i§AF_i" license. Mr. Dusablon informed the board

that if he did not see the information when reviewing the application for testing, he never would have known. Mr. Dusablon expressed his concern of privatizing testing and noted that if testing/application reviews were privatized this issue would not have been noticed. Violations will be issued. Mr. Dusablon noted the volume of violations has grown and it is difficult for one investigator to control. Violations are now being discovered through unique circumstances i.e. applications, phone complaints, Craigslist.

Stan Davies recommends that a letter be sent to cities and towns to advise them of this and a letter to the Director as there is not enough staff to handle the electrical violations. It was recommended that the minutes to the meeting be forwarded to the Director. Discussion continued. Stan Davies made a motion that the Director be advised of illegal work being done in Rhode Island, which means revenue to the State and public safety as a priority. Seconded by Frank Benell, Jr. and passed unanimously by the Board.

7.) Review of RIGL 5-6 for consideration of legislative changes: Not discussed.

New Business:

Robert Zuba had items to discuss as new business.

„X Mr. Zuba has met with the Board of Examiners of Massachusetts regarding 15 Hours. The Massachusetts Board has tentatively

passed the agreement to exchange certificates. There is some language clarification that the Massachusetts Board attorneys would like to make. Mr. Zuba has not received confirmation on that. There is a discussion. If Massachusetts will accept Rhode Island certificates then Rhode Island will accept Massachusetts. Massachusetts had stopped accepting Rhode Island certificates.

„X Mr. Zuba requested comments on what he has found in the filed regarding fire alarm installers and the panels. A contractor obtains a permit and does an install and does not install the motherboard. The company that sells it will send a rep out and install the motherboard and tie in the circuits. Do they have to be licensed or will they work under the contractor's license or registered with the contractor as part of the job? There is a discussion.

„X Mr. Zuba inquired about the Board thinking about a „Retired“ license classification. There is a discussion.

Keith Burlingame addressed the Board to inform them that the Governor has signed the Fire Code Bill. No later than December 31st the Fire Board will have to adopt the 2012 Life Safety Code and the 2010 National Fire Alarm Code no later than December 31st.

8.) Adjournment: A motion to adjourn was made by Stanley Davies and seconded by Robert Zuba and passed unanimously by the Board. The meeting adjourned at 10:33am.

The next meeting is scheduled for Wednesday, August 15, 2012 at 9:30am.