

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
HOISTING ENGINEERS EXAMINING BOARD
TUESDAY, MARCH 14, 2006
10:00 A.M.**

In attendance: David Rodrigues

Benjamin Anthony

Ellery Wood

John Shaw

David Burnham

David Rodrigues, Chairperson, called the meeting to order at 10:00 a.m.

The above members were present for today's meeting. Members absent for today's meeting were Kathryn Serrecchia and the vacant board member. There was a quorum.

The February 14, 2006 meeting of the Hoisting Engineers Examining Board was cancelled, and therefore, the first order of business was acceptance of the minutes of the January 10, 2006 meeting. Mr. Ellery Wood made a motion to approve the minutes as submitted. Mr. David Burnham seconded the motion. All members voted in favor.

Mr. Rodrigues informed the Board that all fines recommended at the

January 10, 2006 meeting were upheld by the Director of Labor & Training, and have since been paid.

There were no hearings scheduled for today. The next item on the agenda pertains to a discussion on learners permits. Mr. Rodrigues spoke to Mr. Elliot Henowicz from the State of Connecticut. Mr. Henowicz provided Mr. Rodrigues with an outline of Connecticut's guidelines for obtaining a crane operator's training permit, and Mr. Rodrigues passed that information on to the Board. These guidelines require that the training permits are limited to a two (2) year period. The trainee must be registered to a company that employs Connecticut licensed operators. The annual fee for a training permit is \$25. Trainees are allowed to operate under the close supervision of a Connecticut licensed operator. After the two (2) year period, the trainee would be eligible to sit for the Connecticut State Crane License Exam. In addition, the state of Connecticut only recently began licensing for operators of excavators with over a 28 foot reach, and forklifts with a capacity of over 10,000 pounds. These licenses are in their infancy stage.

Ron Cavallaro, Legal Counsel for the Department of Labor & Training informed the Board that they would have to do this either by regulation, or depending on the extent of what they are trying to implement, they may have to amend the law. In addition, the Board would have to consider how any change they make would impact on, overlap, or contradict with what the State Apprenticeship Council is

trying to do. The Apprenticeship Council has adopted the federal guidelines. This apprenticeship/learners permit/training permit would have to be thoroughly researched prior to implementing anything that might be in direct opposition to other programs enforced by the State. Mr. Cavallaro suggested that a sub-committee be organized to research this matter further before any recommendations can be made to amend regulations and/or laws.

Mr. Burnham stated that his intent was to run aground of this apprenticeship language, and use the wording “training permit” or “learners permit”, not “apprenticeship”. Mr. Burnham stated that he can teach anyone how to read the book and pass the exam, but they would be licensed for something they have no actual experience doing.

Mr. Rodrigues stated that his only problem with the guidelines Connecticut uses is that it says the trainee is allowed to operate under the close supervision of a Connecticut licensed operator. His problem with this wording is that in a case where a company is performing road work, for instance, the trainee could be working 3 miles away from the individual who is supposed to be supervising them. Mr. Rodrigues suggested that perhaps a trainee could be assigned or registered to a specific operator, not a company, who would be responsible for the close supervise of that trainee.

Again, Mr. Cavallaro said he would appoint a sub-committee to investigate the parameters, speak to Connecticut again to see how they overcame these issues, and also determine through Legal how it could be done. The sub-committee should also contact other states, not just neighboring states, to see if they have any learners permits or training permits for licensing of hoisting operators. Mr. Rodrigues stated that he also put two (2) calls in to Mr. Mark Mooney of Massachusetts, but he never called him back.

Mr. Burnham made a motion that Mr. Rodrigues research what other states do. Mr. Anthony seconded the motion. All members voted in favor. Mr. Rodrigues stated that he would do some more investigating, and report back to the Board at its April 11, 2006 meeting.

Mr. Rodrigues informed the Board that two (2) bills were introduced in the 2006 General Assembly involving hoisting engineers (06-S 2651 and 06-S 2652). They were both submitted by Senator Ruggiero. One relates to the requirement for equipment rental decals and the other relates to the amendment of certain qualifications for the Board of Examiners of Hoisting Engineers, and requires the election of a Chairperson or secretary to the Board.

There was no further business before the board.

A motion to adjourn was made by Mr. Wood at 10:30 a.m., and seconded by Mr. Burnham. All members voted in favor.

The next meeting of the Board of Examiners of Hoisting Engineers is scheduled for Tuesday, April 11, 2006 at 10:00 a.m. in Building #70 of the Department of Labor & Training, second floor conference room, 1511 Pontiac Avenue, Cranston, RI 02920.