

**BOARD FOR CONTRACTORS COMMITTEE
MEETING MINUTES**

The Board for Contractors Committee met on **Tuesday, December 12, 2023** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

Board member(s) present for the meeting:

Donald Groh, Chair
Nathan Trice, Vice Chair
James Spencer
Francis McGonegal
Jerry Heinline
Taylor Brannan

Board member(s) absent from the meeting:

Doug Lowe

The following DPOR staff members were present for all or part of the meeting:

Steve Kirschner, Deputy Director, LRPD
Marjorie King, Executive Director
Cameron Parris, Regulatory Operations Administrator
Mary Charity, Licensing Operations Administrator
Stephanie Keuther, Administrative Coordinator

APPROVED

Mr. Groh called the December 12, 2023, Board for Contractors Committee Meeting to order at 8:05 A.M.

Call To Order

Mr. Spencer made a motion seconded by Mr. Heinline to adopt the Draft Agenda of December 12, 2023.

Approval of Agenda

The motion was approved with a vote of 6-0-0. Ayes: Groh, Trice, Heinline, Spencer, Brannan and McGonegal Nays: None Abstain: None Absent: Lowe

Mr. Spencer made a motion seconded by Mr. Heinline to approve the draft Minutes of October 24, 2023 Board for Contractors Committee Meeting as presented.

Minutes

The motion was approved with a vote of 6-0-0. Ayes: Groh, Trice, Heinline, Spencer, Brannan and McGonegal Nays: None Abstain: None Absent: Lowe

Emergency Egress

Emergency Egress

Marjorie King, Executive Director reviewed the Emergency Egress procedures with the Committee and members of the public.

Mr. Groh opened the Public Comment section of the meeting.

Public Comment

With no one wishing to come forward Mr. Groh closed the public comment section of the meeting.

Education Provider Applications

Education Provider Applications

Mary Charity, Licensing Operations Administrator addressed the Committee:

Applications for proposed education providers and courses were reviewed and the Committee's recommendations are as follows:

Ms. Charity shared that staff recommends approval for:

Maryland Delaware Water Well Association – one Water Well Provider Classroom continuing education course.

Maryland Delaware Water Well Association

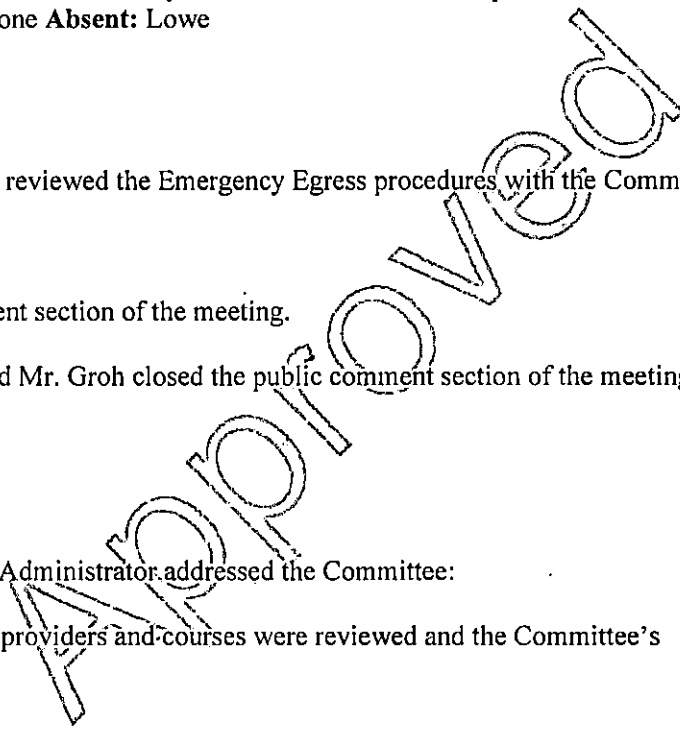
Mr. Spencer made a motion seconded by Mr. Trice for approval.

The motion was approved with a vote of 6-0-0. Ayes: Groh, Trice, Heinline, Spencer, Brannan and McGonegal Nays: None Abstain: None Absent: Lowe

Ms. Charity shared that staff recommends approval for:

Milby Company – one Water Well Provider Classroom continuing education course.

Milby Company



Mr. Spencer made a motion seconded by Mr. Trice for approval.

The motion was approved with a vote of 6-0-0. Ayes: Groh, Trice, Heinline, Spencer, Brannan and McGonegal Nays: None Abstain: None Absent: Lowe

Ms. Charity shared that staff recommends approval for:

National Ground Water Association - one Water Well Provider Classroom continuing education course.

**National Ground
Water Association**

Mr. Spencer made a motion seconded by Mr. Trice for approval.

The motion was approved with a vote of 6-0-0. Ayes: Groh, Trice, Heinline, Spencer, Brannan and McGonegal Nays: None Abstain: None Absent: Lowe

Ms. Charity shared that staff recommends approval for:

Virginia Technical Academy – (7) classroom Electrical vocational training courses and (5) classroom HVAC vocational training courses and (6) classroom Plumbing vocational training courses.

**Virginia Technical
Academy**

Mr. Spencer made a motion seconded by Mr. Trice for approval.

The motion was approved with a vote of 6-0-0. Ayes: Groh, Trice, Heinline, Spencer, Brannan and McGonegal Nays: None Abstain: None Absent: Lowe

Old Business
None

Old Business
None

New Business

New Business

Remedial Education Report

**Remedial Education
Report**

Mary Charity, Licensing Operations Administrator informed the Committee that the remedial education class continues to be well received by participants. Ms. King recommended to all Board Members that they attend a Remedial Education class.

Executive Director Report

Executive Director Report

Marjorie King, Executive Director informed the Committee of current and passed statistical data related to Board cases, licensing applications, emails and phone calls.

Regulatory Review update

Regulatory Review update

18VAC50-22	General Regulatory Reduction Initiative	Proposed to be filed.
18VAC50-22	Eligibility Requirement Amendment	Proposed to be filed.
18VAC50-22	Amendment of Prohibited Acts	Final to be filed.
18VAC50-30	Continuing Education Amendment	Board to adopt final amendments at the March 12, 2024, meeting.
18VAC50-30	General Regulatory Reduction Initiative	Proposed filed – Public Hearing scheduled for 12/12/2023 and the Public Comment period is scheduled for 11/6/2023 through 1/5/2024
18VAC50-30	Eligibility Requirement Amendment	Proposed to be filed.
18VAC50-30	Temporary Elevator Mechanic Certifications	Fast Track to be filed.
18VAC50-22 18VAC50-30	Guidance Document 5724 - PSI Examination Equivalency	To be filed.

10/10/2023

Temporary Elevator (construction site) – Guidance document

Temporary Elevator (construction site) – Guidance document

Marjorie King, Executive Director informed the Committee the information provided below is for discussion purposes and no action is required as Board staff will be conducting additional research to ensure the Board makes an informed decision.

Board staff was contacted by Arlington County regarding licensure requirement for a man and materials lift for a new twenty-five story tower. The locality was provided a copy of the Board’s policy, provided below, that was adopted in September 2007.

Temporary construction elevators and hoists do not meet the criteria for requiring installation, maintenance and repair work as having to be completed by a licensed elevator contractor with certified elevator mechanics as these are temporary in nature and monitored by OSHA for onsite safety compliance.

The locality requested the Board review its policy. It was indicated that every job site is monitored by

OSHA for safety compliance, however, to ensure the construction elevators and hoists are properly installed, maintained, and repaired, a properly licensed elevator mechanic should be the only individual completing the work.

Upon further review and discussion with the industry, Board staff identified this concern may affect more individuals than elevator mechanics. Therefore, Board staff will be conducting additional research to ensure the Board is properly informed when reviewing and considering amendment of its policy.

This policy, and the additional research and information, will be reviewed and discussed at the Board's March 2024 meeting.

Remote Examination Proctoring

Remote Examination Proctoring

The Board for Contractors is being asked to consider approving remote examination proctoring for all its examinations.

Board staff participated in a remote examination demonstration with the Board's examination vendor, PSI, on November 1, 2023.

The demonstration provided Board staff with a clear understanding of the vendor's procedures, requirements of the examinee, security, and a visual of what the vendor monitors during the examination and what the examinee experiences.

Remote examination proctoring allows individuals to complete an examination at their location and at any time. The examinee is required to have a secure connection that meets the examination vendor's standards, a web camera on at all times, complete all security check-in measures, and be in a location free of disruption. If any of the above are not met or maintained, the examination will not begin, or it will be stopped. For example, if an individual is completing an examination, and a person enters their examination room, the examination will be stopped, or if the individual disables their web camera at any time, the examination will be stopped.

Security measures for remote examination proctoring include, but are not limited to, the following:

1. Visual scanning of the examinee's desk surface and entire room.
2. If the individual is wearing glasses, they're required to remove their glasses and show them to the examination proctor via their web camera.
3. If an individual has long hair covering their ears, they're required to pull their hair back and visibly show their ears to the examination proctor to ensure there are no devices. *If an individual has a hearing aid, the examination vendor has ADA protocols they follow.
4. The examinee is required to show their phone to the examination proctor, and visible place it out of reach while on camera.
5. If the examinee requires a restroom break, all security measures must be completed again prior to restarting the examination.

Should the Board approve remote proctoring of examinations, the Board must consider the following:

1. Breaks
 - a. Should there be a timed break during the examination?
 - b. Should there be no break at all?
 - c. Should there be an allowable break if the examinee requests it?
2. Returning to examination questions
 - a. Should examinees be permitted to review their previously answered questions?
 - b. Should examinees be permitted to review their previously answered questions after a break?

Remote examinations are timed, just as it is at an examination site, and remains the same cost to the examinee.

After discussion, a motion was made by Mr. Spencer and seconded by Mr. Trice to approve remote examination proctoring.

The motion was approved with a vote of 6-0-0. Ayes: Groh, Trice, Heinline, Spencer, Brannan and McGonegal **Nays:** None **Abstain:** None **Absent:** Lowe

Exam statistics

Exam statistics

Marjorie King, Executive Director provided the Committee a statistics report for passed exams.

No action was taken

Adjournment

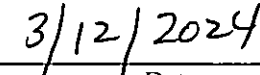
Adjournment

Mr. Groh thanked the Committee and Staff and adjourned the Committee Meeting at 9:08 A.M.

The next Committee Meeting will be **March 12, 2024.**



Donald Groh, Chair



Date