

**BOARD FOR CONTRACTORS COMMITTEE  
MEETING **Draft** MINUTES**

The Board for Contractors Committee (“the Committee”) met on **Monday, October 20<sup>th</sup>, 2014**, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following Committee members were present:

Herbert J. Dyer, Jr., Chairman  
Vance Ayres  
Bailey Dowdy,  
E. G. Middleton, III  
Jeffrey Mitchell  
Michael Redifer

D. Todd Vander Pol was absent.

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

Eric Olson, Executive Director  
Jay DeBoer, Director  
Mark Courtney, Sr. Director for Regulatory & Public Affairs  
Karen Bullock, Administrative Assistant, Compliance Specialist  
Adrienne Mayo, Regulatory Boards Administrator  
Sheila Watkins, Administrative Assistant, Compliance Specialist  
Angela Costa, Education Specialist

Mr. Redifer replaces Mr. Murrow, Mr. Mitchell replaces Mr. Walker, Mr. Ayers was not a voting member.

Chairman Dyer called the meeting to order at 2:02 P.M.

**Call To Order**

The Meeting Agenda was approved unanimously. Motion made by **Mr. Dowdy**, seconded by **Mr. Middleton**. Motion approved by unanimous vote. Members voting “yes” were: Dyer, Dowdy, Middleton, Mitchell and Redifer.

**Approval of Agenda**

The Minutes from the August 25th, 2014 Committee meeting were adopted as drafted by unanimous vote. Motion made by **Mr. Dowdy**, seconded by **Mr. Middleton**. Motion approved by unanimous vote. Members voting “yes” were Dyer, Dowdy, Middleton, Mitchell and Redifer.

**Minutes Adopted**

There was no public comment.

**Public Comment**

Items requiring Board action are marked with an asterisk (\*): Adrienne Mayo Regulatory Board Administrator and Angela Costa Education Specialist addressed the Board.

**Education Provider Applications\***

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

**Education Provider Applications**

Mrs. Mayo shared that staff recommends approval for **Ace Tech Institute (Millennium)**. – Electrical, Plumbing, HVAC/Mechanical and Gas Fitter Continuing Education online course. After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve Ace Tech Institute (Millennium). – Electrical, Plumbing, HVAC/Mechanical and Gas Fitter Continuing Education Provider for online courses. Motion approved by

**Ace Tech Institute (Millennium) Continuing Education**

unanimous vote. Members voting “yes” were: Dyer, Vander Pol, Dowdy, Middleton, Mitchell and Redifer.

Mrs. Mayo shared that staff recommends approval for **RedVector.com LLC- Electrical** Continuing Education online course.

**RedVector.com LLC  
Continuing  
Education Online**

After discussion and a motion by **Mr. Middleton**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve RedVector.com LLC Electrical Continuing Education online course. Motion approved by unanimous vote. Members voting “yes” were: Dyer, Dowdy, Middleton, Mitchell and Redifer.

**Mr. Olson** reminded the committee that all continuing education providers are required to have shifted their course syllabi to the new USBC by November 1<sup>st</sup>. Failure to do so will result in the course being removed from the approval list until such time as compliance is obtained. No action by the committee is required at this time.

**Old Business**

**CE Audit Report**

Adrienne Mayo, Compliance and Education Administrator, presented a provider/course audit report for the Department of Corrections facility at Dillwyn. Ms. Mayo audited the electrical and plumbing continuing education courses given on September 25, 2014. The courses were given, they did not meet the requirements for continuing education courses set forth by the Board. After reviewing the report with Mr. Norris from the Department of Correctional Education, the results of the course were voided, corrective action will be taken, and the courses rescheduled for November 7, 2014. No action was taken by the committee.

**New Business**

**Continuing  
/Education Audit**

**Exam Site Change – Elimination of Walk-Ins**

As part of the Board’s review of application and examination regulations and policies, the committee discussed putting forward a contract modification with its examination vendor (PSI, Inc.) that would eliminate walk-in examination candidates. Walk-ins would also be eliminated from the new examination RFP. After discussion Mr. Middleton offered a

**Exam Site Change –  
Elimination of Walk-  
Ins**

motion seconded by Mr. Dowdy to recommend to the Board that effective January 1, 2015 walk-ins no longer be accepted at our examination sites. The motion was adopted by unanimous vote. Members voting "yes" were: Dyer, Dowdy, Middleton, Ayers, Mitchell and Redifer.

### **Review of Board Policies**

After discussion of Board for Contractors proposal for application processing changes Mr. Redifer offered a motion second by Mr. Middleton to recommend the following:

- Required picture identification for all applicants
- Verification of business entity and Responsible Management
- Verification of employment status of Qualified Individual and Designated Employee
- Verification of experience of Designated Employee and Qualified Individual
- Verification of financial status
- Verification of FEIN
- Signature verification

The motion was adopted by unanimous vote. Members voting "yes" were: Dyer, Vander Pol, Dowdy, Middleton, Ayers, Mitchell and Redifer.

### **Remedial Education Classes**

Mr. Olson provided the Committee with a report on the status of the remedial education classes for 2014. Class attendance continues to increase, Saturday classes will be eliminated in 2015, feedback from students has been very positive, VBCOA and the SCC are assisting in the teaching of two of the modules. No action was required by the Committee.

### **Workgroup Update**

**Mr. Olson** presented a final recommendation report of the workgroup which contained specific recommendations to be made to the Board for Contractors at its December meeting.

The workgroup recommends as follows:

### **Review of Board Policies**

### **Remedial Education Report**

### **Continuing Education Workgroup Update**

- 1) Expansion of approved subject matter: expand the limits on subject matter to include courses such as safety, equipment installation from manufacturers, permitting classes, etc., should be available to licenses: **approved by the workgroup.**
  
- 2) Licensed Tradesman on all jobsites: adopt regulations that require a licensed tradesman on all jobsites and/or limits on the number of helpers that can be supervised by a journeyman or master at one time: **approved by the workgroup.**
  
- 3) Requirement of USBC based continuing education completion within one year of the effective date of the updated code, this would be the only continuing education requirement: **rejected by the workgroup.**
  
- 4) Implement a requirement that course providers notify the Board a minimum of 30 days prior to holding a class, this would ensure adequate time to schedule course audits: **approved by the workgroup.**
  
- 5) Develop MOAs with several localities to improve data collection with regards to the number and types of USBC issues observed by inspectors: **approved by the workgroup.**
  
- 6) Periodically survey randomly selected small samples of licensees (400-600) to collect data with regards to the effectiveness, cost, availability, access, and other areas that will provide the Board with a reasonable viewpoint of the continuing education requirement through the experiences of the licensees: **approved by the workgroup.**
  
- 7) Adopt regulations that place expiration dates on courses, requiring that the provider resubmit an application for approval of the course on a regular basis: **approved by the workgroup.**
  
- 8) Consider adopting regulations that would make providers regulants of the Board and place similar requirements as those placed on education providers under the authority of the Real Estate Board: **approved by the workgroup.**

9) Consider a combination of recommendations 1 & 3, expanding the subject matter available to the licensees while developing a sliding continuing education requirement that would include a code update course within one year of a code change, but would allow other courses during times when no code change is being implemented: **approved by the workgroup.**

10) Explore the possibility of allowing a licensee to “test out” on the code updates, eliminating the continuing education requirement for that particular license cycle. A licensee would be permitted to take a test, approved by the Board, during a license cycle, at an examination site approved by the Board: **approved by the workgroup.**

11) Include a course/instructor evaluation as part of the random sampling (recommendation #6) done as part of a periodic survey, or develop another method of obtaining evaluations from individuals who have taken courses. Using this and any audit, to evaluate the performance of providers: **approved by the workgroup.**

### **Regulatory Review**

**Mr. Olson** briefed the members of the committee on the status of the regulatory reform package that includes continuing education. The final regulations remain with the Governor and no action has been taken. One pending regulatory package involving contract provisions was approved and will become effective on December 1<sup>st</sup>. Members talked about the possibility of recommending “contract changes”: Have Contractors insert a recovery fund clause in their contract and have them give Consumers a copy of the DPOR’s recovery fund brochure. No committee action was required.

### **Legislative Review**

Nothing at this time.

**Eric Olson** reviewed a letter from the Washington/Gas Light sharing that they do not require tradesman to be licensed to do Residential gas fitting. No Board action needed.

### **Regulatory Review**

### **Legislative Review**

**Washington/Gas  
Light Letter**

Adrienne Mayo gave the Committee a copy of a complaint letter from Harold Frances, Jr. She shared his complaint with the committee members. They thanked Ms. Mayo for addressing this.

**Complaint Letter**

The next Committee Meeting will be held on Monday, **December 15, 2014.**

**Next Meeting**

**Mr. Dowdy** offered a motion seconded by **Mr. Dyer**, the Committee unanimously voted to adjourn the meeting at 3:35 p.m.

**Adjourn**

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Herbert J. Dyer, Jr., Chairman

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Date