

TRADE EXPLORATION WORKGROUP MINUTES

The Trade Exploration Workgroup met on **Wednesday, June 23, 2021**, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following Workgroup Members were present:

Jeff Hux, Board for Contractors
Rudy Middleton, Board for Contractors
David Owen, HBAV
Jason Wheeler, Regional Council of Carpenters
Destiny LeVere, AFL-CIO
Patricia Morrison, DOLI-Apprenticeship
Marta Fernandes, DOLI-Enforcement
Jason Parker, Virginia State Building Construction Trade Council
Courtney Baker, AGCVA
Jason Ascher, Mid-Atlantic Pipe Trades Association
Matt Roberts, Chesterfield County Public Schools
Mary Broz-Vaughan, Director
Shannon Webster, Director of Exams and Workforce Development

Workgroup Members absent were:
Elizabeth Creamer, CCWA

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

Eric Olson, Executive Director
Mary Charity, Licensing Supervisor
Stephanie Keuther, Administrative Assistant

Chairman Hux called the Tradesman Exploration Workgroup Meeting to order at 10:08 A.M.

Call To Order

Opening Remarks

Opening Remarks

Mary Broz-Vaughan, Director thanked everyone for their participation and is looking forward to working with this workgroup on HJ 561.

Purpose of the Workgroup

Purpose of the Workgroup

Chairman Hux, informed the workgroup they shall study the efficacy of the Commonwealth's occupational licensing laws for construction trades to (i) determine whether more requirements are necessary to ensure all workers in relevant crafts are licensed, (ii) determine whether greater occupational licensing enforcement is necessary, (iii) determine whether the Commonwealth's occupational licensing laws should apply to a broader scope of construction trades, and (iv) make recommendations for new laws or policies that would enhance the Commonwealth's occupational licensing regulations.

Introduction of the Workgroup Members

Introduction of the Workgroup Members

Chairman Hux, had the Workgroup members and DPOR staff introduce themselves.

- Jeff Hux, Board for Contractors
- Rudy Middleton, Board for Contractors
- David Owen, HBAV
- Jason Wheeler, Regional Council of Carpenters
- Destiny LeVere, AFL-CIO
- Patricia Morrison, DOLI-Apprenticeship
- Marta Fernandes, DOLI-Enforcement
- Jason Parker, Virginia State Building Construction Trade Council
- Courtney Baker, AGCVA
- Jason Ascher, Mid-Atlantic Pipe Trades Association
- Matt Roberts, Chesterfield County Public Schools
- Mary Broz-Vaughan, Director
- Shannon Webster, Director of Exams and Workforce Development
- Eric Olson, Executive Director
- Mary Charity, Licensing Supervisor
- Stephanie Keuther, Administrative Assistant

Workgroup Members absent were:
Elizabeth Creamer, CCWA

Public Comment

Jack Dyer, I was a Board Member and Chairman for the Board for Contractors for many years, I have also been a commercial contractor for over 40 years.

Line 4 of the resolution states “Establishing a joint subcommittee to study the efficacy of the Commonwealth’s occupational licensing laws for construction trades” The word efficacy means “The ability to produce a desired or intended result” Has the Board for Contractors not been doing this already. We research, discuss, and debate the regulations every year. Regarding lines 12-15, the Board for Contractors regulations already covers licenses for Contractors and Tradesman, which were passed by the General Assembly, and through numerous administrations. The Board for Contractors looks to protect the health, safety, and welfare of the public. As far as the quality of work and safety of the job would be handled by VOSH, not the Board. Improving the Boards regulations is great, but fixing what is not broken it not necessary. Over regulating will not bring contractors into the trades, it will only deter them, and effect our economy more.

Lou Spencer, with the Plumbers and Gasfitters local union #5, and Assistant Business Manager. Mr. Spencer is a concerned citizen with the problems in Northern Virginia regarding the numerous amount of unlicensed contractors and tradesman.

Ed Rhodes, was present but did not address the workgroup at this time.

A Basic Licensing Primer

Eric Olson, Director gave an overview of the Board for Contractors. The Board for Contractors is the largest Board licensing 88,000 contractors. Currently the Board regulates Contractors, Residential Building Energy Analyst businesses and individuals, Tradesmen (plumbing, electrical, HVAC, gas-fitting) – two levels, Backflow Prevention Device Workers, Elevator Mechanics, Accessibility Mechanics, Water Well System Providers – three levels, Drug Lab Remediators, and Fire Sprinkler Inspectors.

Mr. Olson reviewed the difference between regulations and the law. All of the Board’s authority comes from the law. The Board operates under the Administrative Process Act, FOIA, and applicable sections of Title 54.1 of the Code of Virginia. The Board does not get to choose which programs to regulate with the exception of the addition or subtraction of specialties for contractors. The Board only has authority over licensed individuals, and the General Assembly must pass legislation to add/delete regulatory programs.

In this workgroup we are looking at studying the efficacy of current occupational licensing laws for construction trades, determine whether more requirements are necessary to ensure licensure, determine whether greater enforcement is necessary, determine whether the licensing laws should apply to a broader scope of trades, and make recommendations for new laws or policies that would enhance the current licensing regulations.

Recess

Chairman Hux, called a recess to the meeting at 11:20AM

Public Comment

A Basic Licensing Primer

Recess

Chairman Hux, resumed the meeting at 11:30AM

Open discussion

Open discussion

The workgroup discussed why adding more certification or regulation requirements would benefit or hinder the construction and trade industry. After much discussion it was recommended to have a voluntary certification program that would exempt a qualified individual of a license from sitting for the required examination of licensure. Some concerns of the voluntary certification program are the already increasing number of Spanish speaking contractors and trades that are unable to complete the examination requirements of licensure and how would this help them.

Mr. Olson, Director informed the workgroup with regards to his working with the Latino Advisory Council in providing it information on the licensing requirements, exams, and applications for its programs. It was noted that the Council is exploring the possibility of having exams and applications be given in Spanish now that the ICC has published Spanish editions of the International Building Codes.

Recess

Recess

**Chairman Hux, called a recess to the meeting at 2:10PM
Chairman Hux, resumed the meeting at 2:20PM**

New Individual Licenses/Certification Recommendations

New Individual Licenses/Certification Recommendations

The workgroup identified 12 possible individual license and certification programs to bring forward for discussion. These included: Carpenters, Masons, Painters, Sheetrock Installers, Fire Sprinkler Installers, Roofers, Insulation Installers, Framers, Concrete/Cement Workers, Flooring Installers, Tilers, and Glaziers.

After discussion of each individual program and review of any national certification programs currently in place for these vocations, the workgroup recommended the list be reduced to the following and further discussion at the next meeting should be conducted to determine if they should be recommended for voluntary certification and subsequent exemption from the current Qualified Individual examination, if applicable.

- Carpenters
- Masons
- Sheetrock Installers
- Painters - will be deferred to the next meeting after additional information is provided to the workgroup to determine if there is a national certification program already available.

Adjournment


Chairman Hux adjourned the Trade Exploration Workgroup at 2:50PM

Adjournment

Trade Exploration Workgroup Meeting Draft Minutes

June 23, 2021

Page 5 of 5



Jeff Hux, Chairman

Date 6-28-2021



Mary Broz-Vaughan, Director

Date 6/28/2021

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Jeffrey W Hux
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2021
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

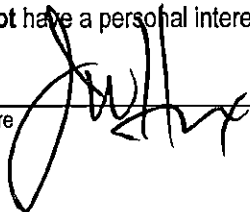
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Signature



June 23, 2021

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name E.G. "Rudy" Middleton
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2021
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

E. G. Middleton II
Signature

June 23, 2021

Date

TRADESMAN EXPLORATION WORK GROUP MEETING

SIGN IN SHEET

*DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
9960 Mayland Drive
Richmond, VA 23233*

*Wednesday, June 23, 2021– 2nd Floor Conference Center
Board Room 4
10:00 A.M.*

NAME	PHONE NUMBER
Jeff Hux	757 328 9893
LOU SPENCER	703.930.3030