

**PRESENTATION OF THE
BOARD OF ELECTRICIANS AND PLUMBERS**

TO THE SENATE COMMITTEE ON LABOR

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Thursday, February 8, 2018
3:30 p.m.

**TESTIMONY ON SENATE BILL NO. 2937, RELATING TO ELECTRICAL
CONTRACTORS.**

TO THE HONORABLE JILL N. TOKUDA, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Peter Akamu, Chairperson of the Board of Electricians and Plumbers (“Board”). I have been a Hawaii licensed electrician since November 1976. I appreciate the opportunity to testify on S.B. 2937, which is a companion to H.B. 2549. The Board takes no position on this bill at this time and offers comments.

This measure exempts electrical contractor employees licensed under Hawaii Revised Statutes (“HRS”) chapter 444 and performing high voltage (six hundred volts or higher) electrical work from the electrician licensing requirements of HRS chapter 448E.

While the Board has not had an opportunity to discuss S.B. 2937, it did discuss with the bill’s proponents, at its board meeting on December 12, 2017, the proposed exemption of trade workers from chapter 448E licensing requirements. At that meeting, board members expressed concern that whereas the bill’s proponents are seeking licensure exemption for **all electrical work** that would be performed on high voltage projects, licensed journey workers are authorized to perform work on components of high voltage projects. The Board was concerned that the proponents are seeking to have unlicensed workers perform **all phases** of a high voltage project. In addition, board members had questions that were unanswered at the meeting.

The Board intends to discuss this bill at its February 13, 2018, board meeting.

Thank you for the opportunity to testify on S.B. 2937.

IBEW1260

‘A‘OHE HANA NUI KE ALU ‘IA

February 8, 2018

The Twenty-Ninth Legislature
Hawaii State Senate
Committee on Labor

SB2937 - RELATING TO ELECTRICAL CONTRACTORS

Chair Tokuda, Vice Chair English and Members of the Committee,

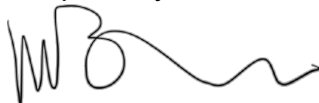
The International Brotherhood of Electrical Workers Local Union 1260, AFL-CIO (IBEW1260), represents more than 3500 members working in the utility, outside construction, cable, telecom and maintenance industries throughout the State of Hawaii and respectfully offers the following testimony in **STRONG OPPOSITION** to Senate Bill 2937 (SB2937).

Licensing ensures work performed by a state licensed worker can be deemed of the highest quality and safety standards possible through standardization, ultimately protecting the general public and providing safe, reliable service. Additionally, IBEW1260 members who perform the majority of high voltage work within our state, can be confident that these standards serve to minimize any risk of death or injury when performing additional work on such systems.

For these reasons, IBEW1260 respectfully ask the Committee hold this measure ensuring the safety of Hawaii's workers and the general public.

Mahalo for the opportunity to testify on this issue.

Respectfully,



Michael M. Brittain
Asst. Business Manager
IBEW1260 / AFL-CIO

**PRESENTATION OF THE
CONTRACTORS LICENSE BOARD**

TO THE SENATE COMMITTEE ON
LABOR

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Thursday, February 8, 2018
3:30 p.m.

**TESTIMONY ON SENATE BILL NO. 2937, RELATING TO ELECTRICAL
CONTRACTORS.**

TO THE HONORABLE JILL N. TOKUDA, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Peter H.M. Lee, and I am the Chairperson of the Contractors License Board ("Board") Legislative Committee. Thank you for the opportunity to testify in opposition to S.B. 2937, which proposes to exempt employees of high voltage electrical contractors from being licensed as electricians. The Board opposes this measure, which is a companion to H.B. 2549, for the following reasons:

Currently, high voltage electrical contractors performing non-public utility work employ journey worker electricians ("EJ") to perform electrical work. EJs who perform high voltage electrical work have fulfilled requisite training provided by their employer and are qualified to perform high voltage electrical work. The contractor is responsible for the high voltage work performed by the contractor's EJ employee and would not permit an unqualified EJ to perform high voltage electrical work. The Board believes that high voltage contractors should not be exempt from employing qualified licensed electricians to perform high voltage electrical work.

In addition, this bill proposes that an individual performing high voltage electrical work is required to be certified through an apprenticeship program authorized by the United States Department of Labor's Employment and Training Administration or the Department of Labor and Industrial Relations ("DLIR"). If passed, this measure will prevent high voltage contractors from utilizing their otherwise qualified EJ employees to perform high voltage electrical work if they are not certified by a United States

Department of Labor or DLIR program. An unintended consequence of this measure may be delays in the completion of projects while individuals and EJs complete the new certification requirements.

Thank you for the opportunity to testify in opposition to S.B. 2937.



ELECTRICAL CONTRACTOR'S ASSOCIATION OF HAWAII

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February 6, 2018

To: Senate Committee on Labor
Honorable Chairperson Jill Tokuda & Vice Chairman Kalani English

From: Al Itamoto, Executive Director
Electrical Contractors Association of Hawaii
National Electrical Contractors Association, Hawaii Chapter

Subject: SB2937 Relating to Electrical Contractors

Notice of Hearing

Date:
Time: 3:30 PM
Place: Conference Room 229
State Capitol
415 South Beretania Street

Dear Chair Johanson and Committee members:

The Electrical Contractors Association of Hawaii (ECAH) is a non-profit association representing over 100 electrical contractors doing business in the State of Hawaii. ECAH is the Hawaii Chapter of the National Electrical Contractors Association (NECA). ECAH and NECA **strongly opposes** the intent and purpose of SB 2937 exempting employees of an electrical contractor performing high voltage work (over 600 volts) from the provisions of HRS 448-E and HRS 444-9.5(b). Licensing requirements for electrical contractors and electrical workers are there for the safety and welfare of the general public and electrical workers. The electrical trade carries with it inherent risks and the workers are trained in electrically-related safe work practices. The licensing process includes the training, testing and re-licensing required to be certified and licensed in the State of Hawaii. The training and testing includes the provisions of the National Electrical Code (NEC) for the proper installation and safety measures required in all electrical work. Any exemption from the provisions of HRS 448-E and HRS 444-9.5(b) compromises the intent of its provisions and its intended purpose.

The proposed bill cites some incorrect information regarding not having sufficient qualified and experienced high voltage electricians in the State who are capable to perform certain complex maintenance and repair work affecting an electric utility. The fact is we have qualified, experienced and licensed electricians who are capable of doing high voltage work. Not only do we have qualified, and licensed experienced electricians, some of our contractors have completed utility-grade, renewable energy projects. A list of these projects can be provided upon request.

The proposed bill cites an exemption for employees from HRS 448-E who are performing high voltage work, qualified to perform the work and certified through an apprenticeship program authorized by the Department of Labor's Employment and Training Administration or department of labor and industrial relations to perform such high voltage electrical work. The result of this exemption will allow apprentice level electrical workers to perform high voltage work. Currently, all of this work requires a licensed journeyman to be performing or supervising the work according to 444-9.5 and 448E. All of our local electrical contractors as well as those from out of State have electricians who have completed their apprenticeship programs but also possess a state's journeyman electrician license.

Based on the above, ECAH **strongly opposes** the passage of SB2937 and encourages this committee to stop this bill from moving forward.

Thank you for the opportunity to provide testimony on this issue.



February 8, 2018

TO: SENATOR JILL N. TOKUDA, CHAIR LABOR
SENATOR J. KALANI ENGLISH, VICE-CHAIR LABOR
MEMBERS OF THE COMMITTEE ON LABOR

FROM: BRUCE CONWAY, SR. DIRECTOR OF OPERATIONS
POWER CONTRACTING LLC

RE: SENATE BILL 2937 RELATING TO ELECTRICAL CONTRACTORS – **SUPPORT**

Dear Chair Tokuda, Vice-Chair English and Members of the Committee:

I am Bruce Conway, Sr. Director of Operations for POWER Contracting LLC testifying in strong support of SB2937 Relating to Electricians. We are a licensed electrical contractor in Hawaii with C-62 and C-63 license under Chapter 444. Our Journeyman Lineman hold Journeyman Lineman cards from the IBEW and have completed extensive apprenticeship training that includes field training, class time, and successfully passing a Journeyman Lineman exam.

Section 448E-13 in part states:

(a) The following persons shall be exempt from this chapter:

- (1) All employees of a public utility within the State under a franchise or charter granted by the State which is regulated by the public utilities commission and community antennae television company, while so employed; and
- (2) Employees of an electrical contractor duly licensed under chapter 444; provided that: (A) Such contractor is retained by a public utility within the State under a franchise or charter granted by the State which is regulated by the public utilities commission to perform high voltage (six hundred volts or higher) electrical work for the public utility; and (B) Such employees are deemed qualified by the public utility to perform such high voltage electrical work; provided further that in no circumstance shall such persons be less qualified than the public utility's own employees that perform such high voltage electrical work.

SB2937 proposes to extend this exemption to perform high voltage electrical work to include work for non-public utility renewable energy projects in Hawaii. Without this proposed provision, utility grade renewable energy projects will be more difficult to develop. These large-scale renewable energy projects include extensive high voltage segments of the project, where the substation is tied into the public utilities grid. Low voltage work (600 volts or less) requires different training and is not reflective of the safety requirements for high-voltage work. This

limits options for development of large-scale renewable energy projects and could increase projects costs, which are often passed on to the consumer.

Our industry works on the construction and maintenance of high voltage power lines both overhead and underground with distribution and transmission voltages requiring the specialized skills of Journeyman Lineman, Foreman and General Foreman who are all trained certified Journeyman Lineman. As public utilities like HECO and KIUC seek to expand and increase the number of purchase power agreements they negotiate, the ability to have these projects completed in a timely and cost-effective manner are impacted, by limiting those who are experienced and capable of providing the capacity to complete these critical infrastructure projects.

To summarize, SB2937 extends the exemption contained in section 448E-13 to increase the capacity and capability to meet Hawaii's demand on utility grade non-public utility renewable energy projects. Thank you for the opportunity to testify in support of SB2937, and we ask that your committee pass this forward focused legislation.

LATE



International Brotherhood of Electrical Workers

LOCAL UNION NO. 1186 • Affiliated with AFL-CIO

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February 8, 2018

TO: SENATE COMMITTEE ON LABOR

RE: TESTIMONY IN STRONG OPPOSITION OF SENATE BILL 2937 RELATING TO ELECTRICAL CONTRACTORS

For Hearing on Thursday, February 8, 2018, at 3:30 p.m., in Conference Room 229

Honorable Chair Jill Tokuda, Vice Chair J. Kalani English, and Committee Members,

The **International Brotherhood of Electrical Workers Local Union 1186** represents nearly 4,000 members working in electrical construction, telecommunications, and with Oceanic Cable. Our members include civil service employees at Pearl Harbor, Hickam, Kaneohe, and military facilities throughout Hawaii. IBEW Local 1186 also represents over 120 signatory electrical contracting companies that perform most of the electrical work in our state.

IBEW 1186 **strongly opposes SB2937**. This legislation proposes to provide an exemption to the licensing requirements for certain qualified individuals in situations when high voltage (six hundred volts or higher) electrical work is performed while employed by a Hawaii licensed contractor.

The legislature has taken mindful steps to ensure that Hawaii's electrical industry and related public utilities are of the highest quality and technically skilled workforce as evidenced by Act 35, Session Laws of Hawaii 2010, which established minimum qualifications and licensing requirements for electricians which requires extensive classroom and practical training as well as examination prior to licensure.

The standards and guidelines for this training and licensing are, in part, derived from the National Electric Code (NEC), which includes provisions for electrical work above six hundred volts. For decades, duly licensed electricians in Hawaii have performed work on various electrical components that exceed six hundred volts.

Any attempt to circumvent the licensing requirements of Chapter 448-E will erode its intended purpose and place the public's health and safety at risk.

For the foregoing reasons, we respectfully request that you **HOLD** this measure indefinitely. Thank you for providing us with this opportunity to submit our testimony in **strong opposition** of SB2937.

Mahalo and aloha,

Damien Kim

Business Manager – Financial Secretary

International Brotherhood of

Electrical Workers, Local Union 1186