

BOARD OF ELECTRICIANS AND PLUMBERS
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Tuesday, December 8, 2015

Time: 10:30 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Present: Peter Akamu, Industry Member, Chairperson
Matt Brady, Industry Member, Vice Chairperson
Phillip Lucero, Industry Member
Vernon Ta'a, Public Member
Randall Kaya, Public Member

Rodney J. Tam, Deputy Attorney General
Christine Rutkowski, Executive Officer
Christine Hironaka, Secretary

Excused: Randal Hiraki, Industry Member

Guests: Al Itamoto - Electrical Contractors Association of Hawaii ("ECAH")
Peter H.M. Lee – Hawaii Laborers Employers Cooperation & Education
Trust ("LECET")
Ryan Takahashi – Hawaii Electricians Market Enhancement Program
("HEMEP")
Troy Silva – HEMEP
Gino Soquena – Laborers Union 368

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant
Governor, as required by section 92-7(b), Hawaii Revised Statutes
("HRS").

Call to Order: There being a quorum present, Chairperson Akamu called the meeting to
order at 10:45 a.m.

Chairperson Akamu announced he was taking the agenda out of order to address Chapter 91,
HRS Adjudicatory matters.

Chapter 91, HRS
Adjudicatory
Matters:

Chairperson Akamu called for a recess from the Board's meeting at
10:45 a.m. to discuss and deliberate on the following adjudicatory matter
pursuant to HRS Chapter 91.

- a. In the matter of the Plumber's License of CALVIN I. MATSUOKA, JR., Respondent. ENP 2015-16-L

SETTLEMENT AGREEMENT PRIOR TO FILING OF PETITION FOR DISCIPLINARY ACTION AND BOARD'S FINAL ORDER, EXHIBITS "A" AND "B"

After discussion, it was moved by Vice Chairperson Brady, seconded by Mr. Ta'a, and unanimously carried to approve the settlement agreement in which:

- (i) Respondent represents that he mistakenly answered "no" to the subject questions and was not deliberately trying to mislead the Board.
- (ii) Respondent does not admit to violating any law or rule, but acknowledges that RICO has sufficient cause to file a Petition for Disciplinary Action against Respondent's license.
- (iii) Respondent enters into this Settlement Agreement as a compromise of the claims and to conserve on the expenses of proceeding with an administrative hearing on this matter.
- (iv) Respondent agrees that this Settlement Agreement is intended to resolve the issues raised in RICO's investigation in RICO Case No. ENP 2015-16-L.
- (v) Administrative fine. Respondent agrees to pay a fine in the amount of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Payment shall be made by cashier's check or money order made payable to "DCCA - Compliance Resolution Fund" and mailed to the Regulated Industries Complaints Office. Payment of the fine shall be due at the time this Settlement Agreement is returned to RICO.

Following the Board's review, deliberation and discussion on these matters, pursuant to HRS Chapter 91, Chairperson Akamu announced that the Board was reconvening to its open meeting at 10:54 a.m. and returning to the order of the agenda.

Additions/
Revisions to
the Agenda:

It was moved by Mr. Kaya, seconded by Vice Chairperson Brady and unanimously carried to add the following to the agenda:

7. Applications

- a. Journey Worker Specialty Electrician (“EJS”) HIDANO, Davin
- b. Master Plumber (“PM”) SZABO, Aimee
- g. Restoration
Journey Worker Electrician (“EJ”) MAIRA, Richard

10. Correspondence

- a. Email inquiry regarding a journey worker electrician’s minimum license requirements for resort/hotel workers. (ADD)

Executive Session: It was moved by Mr. Kaya, seconded by Mr. Ta’a and unanimously carried to enter into executive session pursuant to HRS sections 92-4 and 92-5, to consider and evaluate person information relating to the applicant applying for licensure at 10:58 a.m.
Applications

a. ELECTRICIANS

- 5. Journey Worker Specialty Electrician (“EJS”) HIDANO, Davin

EXECUTIVE SESSION

It was moved by Mr. Kaya, seconded by Vice Chairperson Brady and unanimously carried to reconvene to the Board’s regular order of business at 11:00 a.m.

It was moved by Mr. Kaya, seconded by Vice Chairperson Brady, and unanimously carried to defer Davin Hidano’s application pending receipt of additional information.

Approval of the Minutes:

It was moved by Mr. Kaya, seconded by Vice Chairperson Brady, and unanimously carried to approve the minutes of the October 19, 2015 Board Meeting as circulated.

Executive Officer’s Report:

The Executive Officer informed the Board that the Twenty-Eighth Legislative session will begin on Wednesday, January 20, 2016.

There is still a public member vacancy on the Board.

Examinations: a. The Executive Officer distributed the following results of the Electricians' and Plumbers' examination:

Electricians' Exam (administered November 2015)

	<u>EJ</u>	<u>ES</u>	<u>EJI</u>	<u>ESI</u>	<u>EJS</u>	<u>ESS</u>	<u>EM</u>
Exams Administered	15	5	0	0	6	0	1
Successful	11	0	0	0	5	0	0
Unsuccessful	4	5	0	0	1	0	1

Plumbers' Exam (administered November 2015)

	<u>PJ</u>	<u>PM</u>
Exams Administered	24	2
Successful	9	0
Unsuccessful	15	2

Applications: It was moved by Mr. Kaya, seconded by Vice Chairperson Brady, and unanimously carried to **approve/defer/deny** the following applications as noted.

a. ELECTRICIANS

1. Journey Worker Electrician ("EJ") – Approved
BALA, Jesse
HAGEWOOD III, Douglas
HAGEWOOD, Jack
KEKUAWELA, Ryan
KISLENKO, Vitaliy
KUBOTA, Kawika
SAN AGUSTIN, Rico
SULLIVAN, Trevor
TALIULU, Pou
2. Supervising Electrician ("ES") – Approved
CARJE, Kyler
DEL CASTILLO, David
ELLIOT, Jesse
LACONANGELO, Albert
MILLER, Michael
O'BRIEN, Jack
O'NEILL, Derrick
WARREN, Don
3. Journey Worker Industrial Electrician ("EJI")
None.
4. Supervising Industrial Electrician ("ESI")
None.

5. Journey Worker Specialty Electrician (“EJS”) - Approved
KEKAHIO, Brandon
NEECK, Eric
NEEDHAM-TABAG, Charles

6. Supervising Specialty Electrician (“ESS”)
None.

7. Maintenance Electrician (“EM”)
None.

b. PLUMBERS

1. Journey Worker Plumber (“PJ”) – Approved
BACOS, Lance
CABANTANGAN, Ronald
CATINGUB, Ranny
HIGAKI, Ryan
MAIAVA, Punaoli
MANGUBA, George
PANG, Joshua
PEGG, Derek
SMITH, Anthony
WONG, Justin

2. Master Plumber (“PM”) – Approved
KELLY, David
SZABO, Amie

c. DEFERRED APPLICATIONS

BACLICH, Laurie (EJ)
CUSTARD, Claude (EJ)
GUTIERREZ, Timothy (EJ)
HIDANO, Davin (EJS)
NOEY, Nick (EJ)
SEVELLINO, Garrett (PJ)
TOCZKO, Wilfred (EJ)
ZHOU, Sun Bin (PJ)

d. DENIALS
None.

e. RENEWALS
None.

f. RATIFICATIONS
None.

g. RESTORATION

After some discussion, it was moved by Vice Chairperson Brady, seconded by Mr. Kaya and unanimously carried to defer the restoration application below pending additional information.

1. Journey Worker Electrician ("EJ")
MAIRA, Richard (ADD)

Act 35, SLH 2010
Update Regarding
Electrical Academic
Coursework:

a. University of Hawaii Honolulu Community College ("HCC")
Approved Curricula.

- Florida Electrical Apprenticeship & Training, Inc.
- Assabet Regional Vocational Technical School
- IBEW Local 26 NECA/JATC
- Penn Foster Electrical Training Program (online)
- United States Navy Military Training Program
- United States Navy Electrician's Mate, Second Class Training Program
- Community College of the Air Force Electrician's Training Program

Chairperson Akamu expressed concerns as to whether the actual applicant who signed up for the class was taking the Penn Foster online course and that the Electrical Installation and Maintenance Technology ("EIMT") program consists of a 2-year academic course with hands on instruction under the supervision of a licensed electrician. The Executive Officer informed the Board that she contacted HCC because in 2011 the Board expressed the need for student teacher contact. Mr. Kaya added that most online courses have proctors. Board members briefly discussed HRS, §448E-5(b) and the provision " Satisfactory completion, accepted by a University of Hawaii community college offering an appropriate program of study, of two hundred forty hours of electrical academic coursework; . . ." Members expressed that it would be helpful to have HCC representative visit with the Board to go over the approval process.

It was moved by Mr. Brady, seconded by Mr. Kaya and unanimously approved to request HCC attend a Board meeting to discuss their approval process for the requisite Electrical Academic Coursework.

Chairperson Akamu announced he was taking the agenda out of order to address the email inquiry.

- Correspondence: a. Email inquiry regarding a journey worker electrician's minimum license requirements for resort/hotel workers.

James Hardway, Executive Director of Hotel and Restaurant Industry Employment & Training Trust ("HARRIET") sent the email concerning union members who would like to eventually advance to positions that require a journey worker electrician or plumber's license as a minimum requirement. UNITEHERE Local 5 and hotel employers are asking the Board if work experience obtained on a resort/hotel under a licensed journey worker qualifies for testing even if they have no experience in one of the five (5) experience categories listed on the application form.

Chairperson Akamu responded that the electrician applicant does not need to have experience in all the categories. More consideration is given to the detailed work experience description. Vice Chairperson Brady responded that for the plumber applicant residential experience can cover all categories.

- Executive Session: It was moved by Vice Chairperson Brady, seconded by Mr. Kaya and unanimously carried to enter into executive session pursuant to HRS sections 92-4 and 92-5, to consider and evaluate person information relating to the applicant applying for licensure at 11:46 a.m.

EXECUTIVE SESSION

It was moved by Vice Chairperson Brady, seconded by Mr. Kaya and unanimously carried to reconvene to the Board's regular order of business at 1:15 p.m.

It was moved by Vice Chairperson Brady, seconded by Mr. Kaya and unanimously carried to request more information from HARRIETT and defer this matter to the Board's next meeting.

Chairperson Akamu announced he was returning to the order of the agenda.

- Scope: a. Email Inquiry from the Hawaii Electricians Market Enhancement Program ("HEMEP") Fund

After some discussion, it was moved by Mr. Kaya, seconded by Vice Chairperson Brady and unanimously carried to approve the following responses to the email inquiry from HEMEP:

- (i) Does the Board consider the definition of "Electrical Work/Electrical Wiring" in HAR §16-80-3, to include electrical conduits, including underground electrical conduits?

Board's Response: Yes

And thus, does the Board require licensing under HRS Chapter 448E to perform this work?

Board's Response: Yes

- (ii) Does the Board require licensing under HRS Chapter 448E to perform "electrical work" within (inside) property/premises boundaries in the State of Hawaii?

Board's Response: Yes, but only for "electrical work" and "electrical wiring" within buildings, structures, or premises. However, the Board also confirmed its April 12, 2005 determination that a journey worker electrician's license is not required to perform "electrical work" and "electrical wiring" outside the building or structure, or outside the proposed or actual occupiable premises/boundary lines.

- Announcement:
- a. Next Applications Committee Meeting
Tuesday February 16, 2016
9:30 a.m.
King Kalakaua Conference Room
335 Merchant Street, 1st Floor
Honolulu, HI 96813
 - b. Next Board Meeting
Tuesday, February 16, 2016
10:30 a.m.
King Kalakaua Conference Room
335 Merchant Street, 1st Floor
Honolulu, HI 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at 1:16 p.m.

Review and approved by:

Taken by:

/s/ Christine Rutkowski
Christine Rutkowski
Executive Officer

/s/ Christine Hironaka
Christine Hironaka
Secretary

CR:ch
1/8/16

- [X] Minutes approved as is.
[] Minutes approved with changes; see minutes of _____