

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

MINUTES OF MEETING

Date: Tuesday, January 23, 2024

Time: 10:30 a.m.

In-Person Meeting Location: PVL Exam Room
King Kalakaua Building
335 Merchant Street, Third Floor
Honolulu, Hawaii 96813

Present: Sheung Wong, Industry Member, Chairperson
Robert Barrett, Public Member
Nathan Olanda, Industry Member
Phillip Lucero, Industry Member
James Paige, Deputy Attorney General (“DAG Paige”)
Lei Ana Green, Executive Officer
Candace Ito, Executive Officer
Rhonda Roldan, Executive Officer
Alexander Pang, Executive Officer
Randy Ho, Executive Officer
Marc Yoshimura, Secretary

Excused: David Kamakea III, Industry Member, Vice Chairperson

Guests: Ryan Takahashi, Hawaii Electricians Training Fund
Kika Bukoski, Director of Government Affairs, IBEW 1260
Patrick Sullivan, IBEW 1260

Agenda: The agenda for this meeting was posted on the State electronic calendar as required by HRS section 92-7(b).

Call to Order: There being a quorum present, Chair Wong called the meeting to order at 10:35 a.m.

Chair Wong, Vice Chair Barrett, Mr. Olanda, and Mr. Lucero were present; Vice Chair Kamakea was excused.

Approval of Minutes:

It was moved by Mr. Barrett, seconded by Mr. Olanda and unanimously carried to approve the open and executive session minutes of the October 31, 2023, Board meeting, and the executive session minutes of the July 25, 2023, Board meeting, as distributed.

Executive Officer's Report:

a) Exam Results

Executive Officer Green read aloud the following results of the Electricians' examinations:

Electricians' Exam (administered October 2023)

	EJ	ES	EM	EJI	EJS	ESS	ESI
Exams Administered	17	3	0	0	1	0	0
Successful	1	1	0	0	1	0	0
Unsuccessful	16	2	0	0	0	0	0

Electricians' Exam (administered November 2023)

	EJ	ES	EM	EJI	EJS	ESS	ESI
Exams Administered	23	0	0	0	0	0	0
Successful	4	0	0	0	0	0	0
Unsuccessful	19	0	0	0	0	0	0

Electricians' Exam (administered December 2023)

	EJ	ES	EM	EJI	EJS	ESS	ESI
Exams Administered	22	0	1	1	0	0	0
Successful	5	0	0	0	0	0	0
Unsuccessful	17	0	1	1	0	0	0

Executive Officer Green read aloud the following results of the Plumbers' examinations:

Plumbers' Exam (administered October 2023)

	PJ	PM
Exams Administered	12	0
Successful	0	0
Unsuccessful	12	0

Plumbers' Exam (administered November 2023)

	PJ	PM
Exams Administered	13	1
Successful	2	0
Unsuccessful	11	1

Plumbers' Exam (administered December 2023)

	PJ	PM
Exams Administered	17	0
Successful	7	0
Unsuccessful	10	0

b) PSI Candidate Bulletin

Executive Officer Green stated there were testifiers at the October 31, 2023, Board meeting who stated that the Prometric journey worker plumber (PJ) exam had 50 questions with 180 minutes allotted to complete the exam, whereas the PSI exam has 100 questions with the same 180 minutes allotted to complete the exam. Executive Officer Green reported that after careful review of both the Prometric and PSI bulletins, she verified that the PJ exam administered by Prometric had 100 questions with time allotment of 180 minutes to complete the exam. The current PSI candidate bulletin shows that the current PJ exam also has 100 questions and 180 minutes of time allotted to complete the exam. Executive Officer Green affirmed that the change in exam administrator did not change the number of questions on the PJ exam nor the time allotted to complete the exam.

Executive Officer Green added that the PSI candidate bulletins are available for the public to view and download. The candidate bulletins include information about the exams, such as the number of questions in the exam, the time allotment, the number of questions for each content area, and reference material used to create the exam.

Executive Officer Green stated that the PJ exam is still closed-book, though the subject matter experts ("SME") have recommended that the appropriate charts be made available during the exam for ease of computational reference.

Applications: Chair Wong stated that there is a correction to the spelling of 2 applicants names. Under applications for journey worker electrician, Dominique Dameng should be Dominique Dameg, and under applications for journey worker plumber, Daniel Andrade should be Darrell Andrade.

Chair Wong added that the following applications were published on the October 31, 2023, agenda and deferred by the Board, and are being added to this agenda: Colby Aoki (EJ), Damian Barnoff (EJ), and George Nakamoto (EJ).

Chair Wong asked if any members of the public would like to provide oral testimony on this agenda item.

Hearing that there were none, Chair Wong called for a motion to enter into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Hawaii Revised Statutes (“HRS”) section 92-5(a)(1), and to consult with the Board’s attorney on questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

At 10:44 a.m., it was moved by Mr. Barrett, seconded by Mr. Lucero, and unanimously carried to move into Executive Session.

At 10:55 a.m., it was moved by Mr. Barrett, seconded by Mr. Olanda, and unanimously carried to return to the Board’s order of business.

It was moved by Mr. Barrett, seconded by Mr. Lucero, and unanimously carried to approve/defer/deny/ratify the following applications, as noted below:

a) Electricians

Maintenance Electrician (EM)

TAPANG, SHAWN – APPROVED

Journey Worker Specialty Electrician (EJS)

ACOB, JUSTIN – APPROVED

Journey Worker Industrial Electrician (EJI)

NONE

Journey Worker Electrician (EJ)

ALAPAI, REGINALD – DEFERRED
ALTHOUSE, KAMERON – APPROVED
AOKI, COLBY – APPROVED
AOUN, MATTHEW – APPROVED
ARGENTINO, WALTER – DEFERRED
ATHANS, KENNETH¹ – DEFERRED
BARNOFF, DAMIEN – APPROVED CONDITIONAL
BERWITE, MICHAEL – APPROVED
BRIGGS, GARRETT – APPROVED
CAMPOLLO, JUMAR – DEFERRED
CASTILLO-LOPEZ, MARCOS – APPROVED
CLOOS, KYLE – APPROVED
CORDERO, JOSHUA – APPROVED
DAMEG, DOMINIQUE – APPROVED
EVANS, ANDREW – DEFERRED
GAMIAO, REYGAN – DEFERRED
GARRETSON, SEAN – APPROVED
GRANDE, VICK – APPROVED
HE, GAVIN – APPROVED
HIGA, MATTHEW – APPROVED
JENNINGS, DANIEL – APPROVED
KAHO'OHANO HANO, KAMALUHIAOKALANI – APPROVED
KIDMAN, HYRUM – DEFERRED
MAKAHANALOA, ISAAC – APPROVED
MORGAN, ERIC – DEFERRED
NAKAMOTO, GEORGE – APPROVED
NEWMAN, AARON – APPROVED
RAMOS, ERIC – APPROVED
RYAN, DENNIS – DEFERRED
SARMIENTO, CHRISTINA – DEFERRED
SEVILLA, DARWIN – APPROVED
SHI, TONY – DEFERRED
SULLIVAN, JOHN – APPROVED
THOMAS, STEVEN – DEFERRED
TOMAS, CONOR – DEFERRED
VOLE, MAUA – APPROVED
YANO, BRYCEN – APPROVED

Supervising Specialty Electrician (ESS)

NONE

¹ Correction to the applicant name of Kenneth Athans, which was published as Kevin Athans on the January 23, 2024, meeting agenda.

Supervising Industrial Electrician (ESI)

NONE

Supervising Electrician (ES)

GILLESPIE, DONALD – DEFERRED

LAUGHLIN, JOHN – APPROVED

MARHOFER, PAUL – APPROVED

b) Plumbers

Journey Worker Plumber (PJ)

AMIGO, ERWIN – DEFERRED

ANDRADE, DARRELL – APPROVED

ANDRADE, ELDON – APPROVED

BAKER, ERIC – APPROVED

CALLEJO, HAROLD – APPROVED

DAYACOS, DANIEL – APPROVED

FERNANDEZ, KEAKA – APPROVED

FLORES, MIGUEL – DEFERRED

FURTADO, SHIVA – APPROVED

HAACK, DAVID – APPROVED

IPALARI, GRANDEUR – APPROVED

LAGARET, JANAISON – DEFERRED

LEGSAY, RONSEN – APPROVED

LINDSEY, MANUELA – APPROVED

LOREY, JEFFREY – APPROVED

MOENOA, PAU – APPROVED

MURAKAWA, CLIFTON – APPROVED

NOLAN JR., WILLIAM – DEFERRED

RABAINO, DEIGHTON – APPROVED

ROBERTS, DANIEL – APPROVED

Master Plumber (PM)

BRAKERFIELD, SAM – DEFERRED

PLUMB, CLIFFORD – APPROVED

SMIT, ERIK – APPROVED

c) Ratifications

MORALES, PRESTON – Journey Worker Plumber (PJ)

PANG, DRAKE – Journey Worker Plumber (PJ)

UYEDA, GAVIN – Journey Worker Plumber (PJ)

YAMASHITA, CHAD – Journey Worker Plumber (PJ)

Act 35, SLH 2010 Update Regarding Electrical Academic Coursework: a) Chair Wong announced the following additions to the electrical academic coursework.

University of Hawaii Honolulu Community College
Approved Curricula

- Perry Technical Institute (EJ)
- Northeast Wisconsin Technical College (EM)
- Foothill College (EJ)
- Sheridan College (EJ)
- Baldwin Park Unified School District (EJ)

2024 Legislation: a) H.B. NO. ____ / S.B. 2917, Relating to Electric Utility Lineman

Executive Officer Green stated that SB 2917, Relating to Electric Utility Lineman, was introduced on January 19, 2024; a house bill has not yet been introduced, but a draft of the bill was provided to the Board, which is what was on the agenda. The draft House bill and SB 2917 appear to be companion bills.

Chair Wong read the description of the draft House Bill and S.B. 2917: *Beginning 1/1/2027, establishes licensing requirements, including minimum standards and qualifications, for journey worker electric utility linemen and expands the board of electricians and plumbers to include members engaged in electric utility work. Sunsets the limited exemption from licensing requirements for qualified electricians that was originally enacted by Act 65, SLH 2013, and extended pursuant to Act 60, SLH 2018.*

Chair Wong asked if any members of the public would like to provide oral testimony on this agenda item.

Kika Bukoski requested to provide oral testimony.

Kika Bukoski, Director of Government Affairs, IBEW 1260, stated this bill is intended to respond to Act 65, which is scheduled to sunset in 2027. Some of the concerns that were brought up in discussion regarding Act 65, as well as subsequent bills to extend it, included concerns of developing a local workforce, making sure they have properly trained and qualified workforce. He said that when the Board of Electricians and Plumbers (“Board”) was initially enacted in 1971, the utilities and employees of the utilities were

exempt from licensing and was largely due to the utilities performing all of the work internally during that time. Since then, there has been a trend of contracting out some of the work to third-party contractors and believes there are minutes where the Board stated that the exemptions, which are provided to employees of the utilities, does not cover employees of third-party contractors. This, in turn, led to little bit of a gray area. So, Act 65 was intended to provide a limited exemption to cover the employees of third-party contractors, which are contracted by the utilities. The last time this act was extended, the legislature indicated that they were not going to extend it again. The intent of S.B. 2917 is to address some of these concerns by expanding the jurisdiction beyond the point of service to cover electric utility work in Hawaii and create a license that includes minimum standards and requirements to ensure qualified workers are performing this type of work. He believes that the Board previously decided that the jurisdiction ends at the point of service, where the supply of the electricity, which is the utility side, meets the demand, which is on the customer side. The demarcation, or the point of service, is where the Board's jurisdiction ended. The intent is to expand the jurisdiction.

Mr. Bukoski stated that what happened in Maui was not the impetus of this bill but may have led to a heightened urgency and attention toward Hawaii's electrical utility grid, and electrical utility transmission and distribution lines. This bill is in hopes to address those anxieties, as far as ensuring distribution lines are properly installed by qualified individuals. Part of the reason the Board exists is to ensure the safety and welfare of the public; not just the public, but the workers as well, and the integrity of the electrical grid, in this case.

Mr. Bukoski stated further that there have been instances that under-qualified individuals have somehow gotten to a point where they are performing electrical utility work. There is a particular case in 2019, in Palo Alto, California, where an individual, who claimed he had electrical utility experience, tried to get his accreditation through a local union; he was tested and denied. This individual continued to persist, he did have some background, and was eventually employed by a municipality in Palo Alto. On his third day on the job, this individual was fatally injured. It is sad, but it could have been worse should there have been someone beside him that could have been injured as well. When a mistake is made, there usually is not a do-over. He understands that the Board will have additional work should this bill pass, which is the reason this bill

was introduced this year, to provide a 2 ½ year ramp-up so the implementation of the policy can be done correctly.

Mr. Bukoski continued and stated that IBEW 1260 already has an approved apprenticeship program that they are in the process of developing. Patrick Sullivan is helping to develop the program and is also in attendance to provide testimony. They are in the process to address the concerns that were raised by the legislature and stakeholders when Act 65 was adopted. If nothing is done and this bill does not pass, they will go back to how things were with HECO employees being exempt from licensing requirements and a gray area where contractors' employees who are performing electric utility work are not licensed. Mr. Bukoski stated that they see an influx of out-of-state electric utility workers that they are not sure if they are qualified. He stated he does not want the Palo Alto incident to happen in Hawaii. On the heels of the Maui wildfire, he wants to ensure that Hawaii's electric utility grid is the best it can be so future occurrences similar to the fire do not happen again. He stated he hopes to work with the Board, as the workload will fall on the Board's shoulders, and believes this bill is a good start. There might be little tweaking that needs to be done to the bill, and noted they are available 24/7 should there be any questions or concerns, to understand where they are coming from and why they feel this bill is so important.

Mr. Bukoski concluded his testimony.

Chair Wong asked if there were any other members of the public who would like to provide oral testimony on this agenda item.

Ryan Takahashi, Hawaii Electricians Market Enhancement Program, on behalf of IBEW 1186 and Electrical Contractors Association, stated that he has been debating this exemption for many years. One of the key pieces that he has always said regarding the exemption is that it is just too broad, in saying high voltage work. What's long been standing, when we have a catastrophic event where poles and lines go down, that work is not regulated by this Board, so a license has never been required. It's never been a gray area for him, and it has not been a gray area when it's outside of the property line. Mr. Takahashi stated that they believe the premises is where the jurisdiction ends for this Board. They are currently working with IBEW 1260, trying to learn about the bill and how to best meet the problem which is a stated problem on the lack of linemen available and that this is a moving target. IBEW 1186 has a lineman apprenticeship program in place where

apprentices are learning the trade with the purpose to develop the local workforce. The problem is that the work needs to be available for the apprentices to complete the program to become qualified at the end of training. HECO would use in-house guys to do the work and there was not enough work.

Mr. Takahashi stated that in discussions with HECO, they can never commit if there will ever be enough workers as far as using outside contractors. They understand there could be a time where there is a lack of lineman. He stated that the way it works across the country is that these linemen are travelling linemen, and will travel to where help is required, which is a situation that Hawaii would be in. Regarding the safety and qualifications, he believes it's the responsibility of the utilities, as the utilities are responsible for redoing their systems, and are also responsible for ensuring who they are bringing in are qualified especially when the jurisdiction of licensing ends at the property line.

He added that requiring a license would actually restrict the ability to get the linemen to Hawaii when needed. Currently, linemen coming to Hawaii are not required to be licensed in Hawaii, which causes no gray area for them to work on the pole lines. If a license is required, they would have to go through a whole licensing process to do work in Hawaii if we don't have the full workforce to deal with everything, should an event happen. Mr. Takahashi stated that they highly doubt the State will constantly have a full workforce to deal with any event because there is just not enough regular work in Hawaii.

Mr. Takahashi stated further that they have never felt this exemption was needed. He stated that we have enough electricians to do all the associated work within the property line. If extra linemen are needed, generally they would need to come through a pipeline and most of the time they are IBEW contractors throughout the mainland, running through the same training.

Mr. Takahashi concluded his testimony.

Chair Wong asked if there were any members of the public who would like to provide oral testimony on this agenda item.

Patrick Sullivan, with IBEW 1260, stated he is a lineman by trade and that linework is a very specialized type of work. He stated he has had friends who have lost arms, friends who have been flatlined and needed to be brought back to life. It is the only type of

work that you cannot see it kill you. The voltage is so high that you can be near something and get electrocuted without knowing it. Linemen work with thousands of volts day in and day out. This highly specialized type of work is energized above individuals walking on the street and below with walking above manholes, and the risk is present to the public, employees, and the workforce. He stated that he supports the bill as it presents minimum qualifications to perform work within Hawaii. There are certain concerns as far as peaks and valleys with regard to workload, which happens with any trade. It is the only type of work that they are “rubber gloving” as they are working with their hands with energized lines of thousands of volts. He stated it is one of the most dangerous jobs in the country.

Mr. Takahashi stated that he did not want to come off that the regulations or qualifications indicated in this bill are not important. He agrees with what a lineman has to say about the work. But the PUC regulates HECO. They have their construction standards, they work together; that is all in place. As far as regulation, he stated that he sees a potential regulation conflict, as the PUC currently regulates the utilities, and this bill will have DCCA regulate the individual workers.

Mr. Bukoski responded that yes, PUC regulates HECO, but they are not talking about HECO, or utilities. They are talking about third-party contractors that sit outside of the utility; contractors that are regulated by Chapter 444 and their employees. They are concerned about how those individuals are regulated and making sure they have qualified and properly trained workers. The preamble of the bill clearly lays out that there are numerous statements that came out of this Board, as well as industry stakeholders, when Act 65 was adopted, quoting that “local training to develop a quality Hawaii workforce would be the best long-term goal for securing a safe and reliable electrical grid for our community”, which is what they are trying to do to ensure that the individuals third-party contractors are bringing in, which is 90% out-of-state, are properly vetted. This is similar to any travelling electrician or plumber that wants to come from another state to sit for the exam, as they are vetted through the Board to ensure they meet the minimum qualifications of Hawaii. Mr. Bukoski stated that to address the ebb and flow, when they have situations like that, IBEW 1260 is not saying they’re going to stop or try to impede on anyone from coming in. They’re saying that if an individual is coming from another state, they have to come to the Board and show that they are qualified, so we don’t have to call your wife and

four kids that your dad got electrocuted because he said he was qualified, but really wasn't. He stated that this is what they are trying to prevent. As far as emergency situations, the Governor already has emergency powers where he can waive certain things in those specific extreme circumstances. But to have something like this, and to start to put something like this in place, it is going to help us develop our local apprenticeship program, to bring in that pipeline of workers and to develop that pipeline.

Mr. Bukoski reiterated that their jurisdiction is for electrical utility work from the point of service out. This is not a union vs. non-union thing. This law wouldn't prevent IBEW 1186 or anyone else from starting an apprenticeship program and licensing electrical linemen workers. It is not exclusive to IBEW 1260. The Association of Builders and Contractors ("ABC") can start an apprenticeship program.

He added there is a distinct difference that an electrician's license is based off the National Electrical Code ("NEC"). There is a specific scope and purpose that is covered under the NEC. IBEW 1260's linemen are trained and qualified under the National Electric Safety Code ("NESC"), which is an entirely different track, which has an entirely different scope and purpose than the NEC. There are 2 different tracks of training. They are not disputing the fact that NEC allows high voltage work on the demand side of the point of service. This is not a voltage issue with them. He stated that they are simply saying that they want to expand the jurisdiction of this Board to include it so that when Act 65 sunsets, and there are contractors who are not regulated by the PUC performing work on electric utility transmission and distribution lines, that they are properly vetted to make sure they are qualified to work on that equipment to not only ensure the safety of the individual employee, but for the person working next to them.

Mr. Bukoski continued that the concerns expressed by Mr. Takahashi are addressable. He does not see any problem of workforce availability, as currently they are all coming in from the mainland. He stated that we have no workforce. We're trying to develop a local workforce as a long-term solution. Come 2027, and should the legislature ask what has been done, hopefully we can say we introduced this bill and are working on implementing it. The responsibility of developing the apprenticeship program is on IBEW 1260. Like every other apprenticeship program that goes through its ebbs and flows of construction, it is on them. He stated that it is their jurisdiction; their kuleana. If other entities want to start an

electrical utility lineman apprentice programs that is great. But IBEW 1260 wants to have that opportunity to develop a local workforce. He stated that if they need to bring in out-of-state workers to supplement what they cannot provide locally, they want to make sure that those out-of-state workers are properly vetted through the Board and qualified before they are allowed to sit for the exam.

Mr. Takahashi told the Board that if they want any information about the IBEW 1186's apprenticeship program to feel free to ask for it. He stated that developing the local workforce is something they could have done at any time, but it really was a matter of the availability of the linework, and the apprentices in the program had to go to the mainland to finish their training.

Chair Wong asked Mr. Bukoski if IBEW 1260 has an approved lineman apprenticeship program.

Mr. Bukoski stated they have an approved apprenticeship program that they are in the process of trying to get moving. He does not know how long IBEW 1186 had their program because it has been inactive. He stated that HECO, MECO, HELCO, and KIUC are signatories to IBEW 1260, and they are working with these organizations and having intimate conversations with them about their manpower regarding short-term, mid-term, and long-term labor needs, as well as what they plan to do in-house, and what they plan to contract out. He stated that he thinks that they have a little bit of an edge on anyone else because they work with these people day in and day out.

Executive Officer Ito asked Mr. Bukoski if all the individuals who are attending their apprenticeship program will receive their experience from the utility.

Mr. Bukoski answered not necessarily as they also have third-party contractors who are signatory to their union.

Executive Officer Ito added that Mr. Takahashi mentioned there is not enough work for IBEW 1186 to complete their lineman apprenticeship training.

Mr. Sullivan stated that he is aware that the individuals in IBEW 1186's apprenticeship program have to go to the mainland. Some of the things he is currently working on are to squash that concern by building relationships where IBEW 1260 can ensure IBEW

1186's apprentices obtain the proper hours and the proper modules to ensure they come out well-rounded linemen. Similar to the other requirements for licensure, applicants need a specific number of hours of modules that cover aspects of the work. Some of the modules they have to go through is what they call de-energized construction. Some of it is energized maintenance, underground, substation, and all different aspects of linework. Each apprentice needs to spend a specific number of hours in each section of work before they can get approved to take the test to become linemen. There is a lot of training that goes along with training of one particular person to become a lineman.

Mr. Bukoski stated that the apprenticeship program is just one aspect of this bill, which is to address the concerns of the legislature to develop a local workforce, rather than bringing in workers from the mainland. He stated further that this does not stop IBEW 1260 from bringing in workers from the mainland if they need to supplement. He stated that the more important aspect of this bill is regulating those out-of-state workers, unlicensed workers, and expanding the jurisdiction of this point from the point of service out, and to make sure anyone coming into this State who is not properly trained locally is vetted through the Board.

Chair Wong asked if HECO were to hire a third-party to perform linework, are those workers required to go through IBEW 1260's apprenticeship program so they are qualified to perform the work.

Mr. Sullivan answered they are qualified through IBEW, through a national apprenticeship program. One of the job classifications is journeyman line worker, so once they go through an approved program, they are able to take the test, and will receive a ticket once the test is passed. He stated that the ticket basically identifies their craft as a journey worker lineman and qualified individuals can take that ticket to any IBEW hall.

Mr. Lucero asked if these individuals receive a certificate or diploma or card upon graduation, and if they go through practical and classroom courses.

Mr. Sullivan answered yes to both.

Mr. Lucero asked if they require any type of license.

Mr. Sullivan said they have the ability to test them. A state license is not required.

Mr. Bukoski stated there are a certain amount of practical hours required while working under a journeyman, there is minimum curriculum course work, and an exam. The only difference is that a license is not issued, which is the reason for the bill.

Chair Wong asked if any other state requires a license.

Mr. Bukoski said he thinks Nevada may have recently adopted a licensing requirement, but other states don't.

Chair Wong asked, if this bill goes through, would all current workers who may have been working for 30 years have to take the test to get licensed.

Mr. Bukoski answered yes, adding that the bill has two dates one of which is January 1, 2027, that would be the start of eligibility to take the test, though anybody who is currently employed by a contractor or by a utility is automatically grandfathered in if they were working six months prior to this date; and, July 1, 2027, would be the date that licensing would be required. It provides six months for individuals to prepare for and take the test.

Executive Officer Green stated that Mr. Bukoski has stated in his testimony that anybody can have a lineman apprenticeship program. She stated further that individuals in those programs would need access to the electric utility linework in order to fulfill the apprenticeship program hours for required hands-on work in the trade. She asked Mr. Bukoski where individuals could fulfill those hands-on electric utility linework hours to become qualified for licensure if they do not have access to the linework performed by the utilities.

Mr. Bukoski responded there are other third-party contractors that perform work.

Mr. Sullivan stated there will be more work occurring outside the utility, for example, a third-party power supplier, like a solar farm, which may be unregulated. He stated that the Board doesn't regulate high voltage. For example, someone wants to put in a turbine to pump in electricity into the grid and tie back to HECO's grid, from that point of service as far as going back to the premises or even if it travels down some streets to a building. He stated that currently it's his understanding, that is out of the Board's purview.

Executive Officer Green shared Hawaii Administrative Rules (“HAR”) section 16-80-3 in response to Mr. Sullivan’s statement regarding a premises, *“Electrical wiring” means any electrical conductor, material, device, fitting, apparatus, appliance, fixture, or equipment, constituting a part of or connected to any electrical installation attached or fastened to any building, structure, or premises and which installation or portion thereof is designed, intended or used to generate, transmit, transform, or utilize electrical energy within the scope and purpose of the National Electrical Code, as adopted by each county.*’

Mr. Sullivan stated that he is referring to wiring going out of the premises but still under the purview of the utility and this Board. He stated that can be an instance where wiring is going outside of the premises, but it is not part of HECO.

Mr. Bukoski stated that if there are any concerns in the future raised about jurisdiction this is a separate issue that is being discussed internally amongst IBEW 1186 and IBEW 1260 regarding what work is considered related to electrical wiring. He stated that this absolutely has nothing to do with jurisdiction.

Chair Wong stated that this seems similar to trying to require a license for individuals performing plumbing line work for the Board of Water Supply (BWS) or a gas company. Cross contamination of water can get people sick and with a gas company, there could be an explosion.

Mr. Sullivan asked if BWS bids out work, do the employees of the contractor have to be a licensed plumber to perform the work.

Chair Wong answered no.

Mr. Bukoski interjected saying that is different as they sit outside the five-foot line of the building, where no licenses are required to perform plumbing work.

Chair Wong stated that the scenario seems similar to HECO’s work, where perhaps electrical work is being done on a condominium; HECO would run the power out, then the electrical contractor would take it in to the building.

Mr. Lucero stated yes, as the work to the building is point of service.

Chair Wong provided an example wherein BWS brings in a water heater, the plumbing contractor will tie into the meter and take it out five feet from the building. He asked if that is similar for electrical work.

Mr. Lucero answered yes.

Mr. Bukoski asked who would perform the work outside the five-foot line.

Chair Wong answered that the laborers would.

Mr. Bukoski stated that "laborer" is not a skilled trade. An electrical utility lineman is a highly skilled trade and said it's like comparing apples to oranges.

Chair Wong stated that the consequences may be different in that electrocution can be fatal, however, plumbing also has standards for the safety of the public. If plumbing work is performed incorrectly, people could get severely sick.

Mr. Bukoski shared that in 2003 there was a SARS outbreak in China and over one hundred people died in a condominium complex. The World Health Organization conducted an investigation and traced the cause of the spread to faulty plumbing. He stated that to Chair Wong's point, that is why plumbing is licensed; the issue occurred inside a building through cross plumbing, cross contamination. Similar to an electrician, if wiring inside a building is done wrong, the building can burn and people die. He stated that they cannot turn their back, and that electrical transmission and distribution lines are a serious issue.

Executive Officer Ito asked if the requirements for licensure as stated in the bill are the same requirements that IBEW 1260 is requiring in order for their members to obtain certification, and can anyone apply to IBEW 1260's apprenticeship program, even if they are not a union member.

Mr. Bukoski stated that the requirements in the bill are the same as the requirements in IBEW 1260's apprenticeship program.

Mr. Bukoski stated that he thinks to be able to participate in a union sponsored apprenticeship program, you would have to become a member of the union, or eventually plan to become a member, which is similar to any other union apprenticeship program.

Executive Officer Ito stated that Mr. Takahashi says there is no electric utility linework available, but Mr. Bukoski is stating that there is work available. If individuals are unable to participate in IBEW 1260's lineman apprenticeship program, there is no way for them to get the appropriate hands-on linework training.

Mr. Bukoski stated he thinks if someone wants to be an inside wireman they would have to join IBEW 1186.

Executive Officer Ito clarified that an individual does not need to be a member of a union to obtain an EJ license.

Mr. Bukoski stated no, not if they're going through ABC. But if they're going through a union apprenticeship program, they would have to be a member of the union.

Executive Officer Green stated that the Board has maintained that there are over three thousand qualified electricians in the State who, with additional training, could perform high voltage work. Journey worker industrial electricians perform high voltage work, though maybe not as high a voltage as the linemen do, but they have their minimum requirements for qualifying for licensure to perform the work. The journey worker electrician has the minimum requirement of five years, but not less than ten thousand hours of electrical work, and that individual would require additional training in high-voltage work, as well as appropriate certifications. The Hawaii Electricians Training Fund ("HETF") informed the Board that while they have an apprenticeship program for the linemen, it possibly could be adjusted to train those who are qualified journey worker electricians and already have a basic understanding of electrical theory and skills.

She asked that if the intent is in growing a qualified local workforce, then is there an option for someone who is not an IBEW 1260 member to join their lineman apprenticeship program. In this way, a licensed journey worker can stay in Hawaii and perform lineman work.

Mr. Bukoski said it is not an immediate option, but it is something they would like to discuss. If someone wanted to travel from IBEW 1186 and work for IBEW 1260, and obtain additional training if possible, there may be additional tracks. He does not think that a couple more years of training would be sufficient to allow an inside

wireman to perform electrical utility work on the supply side of point of service.

Executive Officer Green asked if the IBEW linemen who travel state-to-state, when there is a need, come in as an employee of the utility or the contractor the utility hires.

Mr. Bukoski answered that they are employees of the contractor.

Executive Officer Green asked if this is because the contractors are licensed in multiple states, and they can move employees around where there is a need.

Mr. Bukoski stated that if they have the appropriate contractors, then they may be licensed in multiple states, but that is the contractor's license and they are talking about journeymen license.

Executive Officer Green asked how it works in other states that do not require a contractor license to perform pole and line work. She asked if the utility employs the linemen or if the linemen are self-employed.

Mr. Bukoski responded that he does not know.

Executive Officer Green asked if IBEW 1260 brings in the linemen, does HECO hire the linemen as employees during the needed time, then release them when done.

Mr. Bukoski responded he wouldn't say they don't; he stated that is what they are trying to do, to create a bench.

Executive Officer Green asked if the utilities have access to a national IBEW bench.

Mr. Bukoski responded that most are travelling from outside IBEW locals.

Mr. Sullivan said they can reach out to other locals and bring in IBEW journeymen linemen to Hawai'i.

Executive Officer Green asked for clarification if those linemen come in as employees of a contractor or are they are employed by the utilities.

Mr. Sullivan stated that it is similar to any other IBEW position. They can reach out to other IBEW unions and can bring in those qualified individuals that hold the certification from other IBEW unions into IBEW 1260, where they will sign their books and sign for the bench.

Mr. Bukoski stated that if it is a union contractor and are a signatory to IBEW 1260 they can hire whoever they want, but that person would have to sign up with IBEW 1260 if hired by the utilities. If the utilities hire a non-union contractor, they don't have to come through IBEW 1260, but they have to be qualified, not licensed.

Executive Officer Green asked if the certification card that they've been referring to is only issued by IBEW, or is it issued by anyone else?

Mr. Bukoski responded that internally it's issued by IBEW. He stated that his goal is to reach outside individuals outside of IBEW who are not implementing these types of standards and vetting of qualifications, hopefully statewide.

Chair Wong asked if it would be due diligence for IBEW 1260 and HECO to vet the individuals they already have, instead of going through this process.

Mr. Bukoski responded that this would be great in a perfect world, but there might be an IBEW somewhere that doesn't care about standards and doesn't do their due diligence. He stated that they may issue a ticket to an individual who comes to Hawai'i, shows their ticket to IBEW, they have to take them.

Executive Officer Green stated IBEW 1260 has already stated that they have ability to test them.

Mr. Sullivan responded that they do and stated that there is work that will be coming up that is out of the purview of HECO. As an example, let's say there is a solar farm where there is high-voltage coming out, this is outside the point of service but not part of HECO. So now the question is where does this lie and who does the work.

Chair Wong stated that it's his understanding that when work is done for HECO, such as a solar farm, the individuals working on the solar farm do not have to be EJs. The individuals who work for contractors who are not on a HECO project must be EJs.

Mr. Sullivan said the contractor, an independent power producer (IPP), produces electricity and puts it on HECO's grid. There are portions that are not part of HECO's grid, which is past the point of service and a big gray area relative to who can perform that kind of work. As more IPPs are mandated, as far as meeting the 2040, clean energy requirements, we're going to see this coming up more and more across the state.

Executive Officer Green stated she believes the Contractors License Board and this Board testified previously that contractors who are performing that work for IPPs use licensed electricians for the electrical work.

Mr. Sullivan asked if these electricians are allowed to perform work of linemen.

Executive Officer Green stated that it is the Board's understanding that the contractor ensures their electricians receive the additional training required to perform the work.

Mr. Bukoski stated that is why they are here. If they have inside electricians trained through NEC doing work on the supply side of the point of service, doing high-voltage energized work, they have a big problem.

Executive Officer Green asked Mr. Bukoski if his concern is to ensure those individuals hold the correct certification for the work they are performing, whether it be the certification that the IBEW issues or other certifications, but that IBEW 1260 wants them to hold the appropriate certification and training, and meet qualifications to perform their work.

Mr. Bukoski responded that this is the reason why you don't have an A/C guy doing plumbing, and that is one of the concerns.

Mr. Sullivan stated the basis is making sure those who are performing the work are qualified to do so.

Mr. Bukoski stated that's why it's considered a specialty trade, specialty contractors.

Mr. Olanda stated that with a solar farm, the panel goes to a substation, and the contractor only hooks up to that substation. He asked for clarification if HECO connects the lines to their side.

Mr. Sullivan responded that may not necessarily be it. He stated that at times, substations may be split in half and other times the developer is contracted outside of HECO to complete the necessary work.

Mr. Olanda asked who does the actual connection.

Mr. Sullivan responded that HECO will do the physical connection to the last touch, but the high-voltage line is done by the developer.

Mr. Lucero asked if HECO specs out the requirement before they do their final tie-in.

Mr. Sullivan responded that HECO and the developer would work together regarding the specs. He stated that they're not necessarily talking about the specs, but rather who is doing the work.

Executive Officer Ito asked Mr. Takahashi if the requirements for licensure as stated in the bill are similar to the requirements to complete IBEW 1186's apprenticeship.

Mr. Takahashi stated he believes the requirements are in line with the requirements of IBEW.

Mr. Lucero stated that he understands the concern regarding safety with the work of a lineman. He referred back to the solar farm example confirming that the work has been contracted, the contractor's workers string the lines out, then HECO's linemen will come in for the final installation.

Mr. Sullivan stated HECO performs the final.

Mr. Lucero asked what happens once the line is energized and if the contractors still maintain the lines, since they strung the lines.

Mr. Bukoski responded that it's on a case-by-case basis and it depends on the specific situation. If the infrastructure is on the demand side of the point of service, then their interpretation is that anything on the demand side is the responsibility of the inside electrician. He stated that a lot of times, if there is any issue with transmission within the premises, the property owner will call HECO because the electricians won't touch it. The scope and purpose indicates it is the responsibility of the owner, not the responsibility of the utility.

Mr. Lucero stated that since the bill is to issue a new license type, the Board needs time to review everything and make sure the whole industry, as well as the safety of the public, is addressed.

Mr. Bukoski said this bill is a draft, not a final, and said he wants to work with other stakeholders and address concerns that IBEW 1186 has. He stated that if this bill does pass, it does not force anyone to activate an apprenticeship program.

Chair Wong asked Mr. Bukoski for clarification on his statement that the bill is a draft, as it has already gone through to the legislature and been introduced as a bill.

Mr. Bukoski responded that this is the beginning, an introduced bill, that will be going through committee reviews.

Executive Officer Green clarified that if the legislature reviews and supports this bill, then they could put it forth as proposed and the statute will be amended.

Mr. Bukoski stated he thinks they would consider any amendments from this Board.

Executive Officer Green reiterated that Mr. Lucero stated that the Board needs additional time.

Mr. Bukoski indicated he would love to hear any suggestions, and maybe there may be no suggestions from the Board. He stated that again, they are trying to afford this Board as much time to ramp up and implement before 2027.

Executive Officer Green stated that Act 68 included high voltage work that was broad and included work that EJs and EJIs perform. The Board discussed defining the scope of work to differentiate from the work that the Board feels is outside its jurisdiction, such as high-line work.

Mr. Bukoski stated that he thinks the way the rules currently read is pretty clear. The NEC purpose and scope outlines the scope of what an inside journeyman electrician is licensed to perform. He stated they are not disputing any work within the point of service.

Executive Officer Green asked if substation work is NEC or NESC.

Mr. Bukoski responded that it's both and that it depends where the substation is located.

Mr. Sullivan stated there is a substation tech within the IBEW.

Executive Officer Ito asked Mr. Bukoski if he is willing to work on language in the interim, as the bill was brought to the Board only now rather than after the last legislative session, and the Board did not have ample time to review and discuss the proposed language.

Mr. Bukoski stated there is no interim if it does. He stated he does not believe the language is controversial as it's nothing new. He stated that all they did was copy and paste the electricians language. The only difference is the definition of the electrician utility lineman.

Executive Officer Green reiterated that the Board has expressed they have not had the appropriate time to review the bill and discuss the matter with industry stakeholders, which includes contractors that contract for this work and the individuals who perform this work, who may have input regarding safety of the public. The Board was just told by Mr. Bukoski that it was a draft, which implies they have appropriate time to review and discuss the matter.

Mr. Bukoski stated that if the Board is asking for him to commit to delaying this bill to next session, he can't do that. He stated that he's not here to get the Board's support but does not want them to oppose; rather propose amendments.

At 12:45 p.m., it was moved by Mr. Barrett, seconded by Mr. Lucero, and unanimously carried to move into Executive Session to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

At 1:42 p.m., it was moved by Mr. Barrett, seconded by Mr. Olanda, and unanimously carried to return to the Board's order of business.

Chair Wong thanked Mr. Bukoski, Mr. Sullivan, and Mr. Takahashi for their time and testimonies before the Board.

Mr. Lucero stated that the Board will be offering comments on this bill.

Chair Wong asked if there is any other testimony on this agenda item.

There were none.

Announcements: a) Next Board Meeting

April 30, 2024
10:30 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting adjourned at 1:44 p.m.

Reviewed and approved by:

Taken by:

/s/ Lei Ana Green

/s/ Marc Yoshimura

Lei Ana Green
Executive Officer

Marc Yoshimura
Secretary

LG:my

2/20/24

[X] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____