

Redlined Version

237 CMR 18.00: Rules Governing Practice

Section

18.01: Rules Governing Practice

18.02: Submittals, Renewals, Minimum Requirements, Audits and Sanctions for Providers Conducting Learning Objective(s) for all Classes/Types of Licenses.

18.01: Rules Governing Practice

(1) Two or more Journeyman electricians shall not associate as partners or otherwise engage in the business or occupation of installing, repairing or maintaining wires, conduits, apparatus, devices, fixtures, or other appliances used for light, heat, power, fire warning or security system purposes without obtaining the necessary Master electrician license.

(2) A licensee shall only engage in the electrical or systems trade or otherwise conduct business in the name printed on his or her license. Any sign, advertisement or other business communication of a Master ~~electrician~~ Electrician (Class A) or Journeyman ~~electrician~~ Electrician (Class B) or Systems Contractor (Class C) shall indicate the type of license and the license number. Systems Technicians may only engage in systems work when employed by a Master Electrician or Systems Contractor. A Systems Technician may supervise a single apprentice so long as said apprentice is under the employ of the same Systems Contractor who employs the Systems Technician. Notwithstanding, the foregoing, licensees whose names/businesses are listed in telephone directories need not include their license number so long as said listing is limited to the name and phone number of the licensee/business.

(3) All persons, firms, and corporations engaging in or working at the business of installing wires, conduits, apparatus, devices, fixtures, or other appliances for carrying electricity for light, heat, power, fire warning, systems, -or security system purposes and employing learners and apprentices shall keep, or cause to be kept, accurate and detailed records of such employment for no less than ninseven years and shall permit the Board or its agents to inspect and copy such records upon request.

(4) Any Master Electrician, Journeyman Electrician, or Systems Contractor licensee performing electrical or systems installations shall comply with the uniform state electrical permit application and notification processes as set forth in M.G.L. c. 143, s. 3L and the Massachusetts Electrical Code, 527 CMR 12.00. System Technicians shall not file the uniform electrical permit application on

their own behalf; they may only do so on behalf of an employing Master Electrician or Systems Contractor unless otherwise allowed by 237 CMR 16.03.

(5) Each licensee shall disclose to the Board any conviction (regardless of whether it is a felony or misdemeanor) ~~pending complaint~~ or civil finding made against him or her made by a court, other state or federal agency or, where applicable, by a licensing board of another jurisdiction. Said disclosure must occur within fifteen (15) days of the finding or conviction.

(6) Each person, firm, or corporation holding a license and entering into, engaging in, or working at the business of installing, testing, repairing, or maintaining wires, conduits, apparatus, devices, fixtures, or other appliances used for carrying or using electricity for light, heat, power, fire warning, systems, or security system purposes shall be governed by the regulations of the Board, all applicable provisions of Massachusetts laws, and any regulations promulgated pursuant to the provisions of such laws; and with respect to all requirements of public safety not therein provided for, such person, firm, or corporation shall be governed by the minimum standards set forth in the Massachusetts Electrical Code, 527 CMR 12.00, as amended, provided that such Code and its amendments have been adopted by the Board, and provided further that a copy of the Code as adopted has been filed with the Massachusetts Office of the Secretary of State.

(7) A Journeyman electrician shall have no more than one apprentice/~~helper~~ under his or her direct supervision or employ. A systems Technician may only supervise one apprentice so long as said apprentice is employed by the same Systems Contractor or Master Electrician who employs the Systems Technician.

(8) A Systems Contractor cannot act as an electrical contractor. A Journeyman electrician employed by a Systems Contractor is limited to performing electrical work for the Systems Contractor, which is directly related to the provision of power to a security system or fire alarm. This does not preclude the electrician from doing work normally done by Systems Technician.

(9) Requirement to Cooperate with the Board

- (a) A licensee or applicant shall respond in the requested timeframe to any written communication from the Board or its designee and shall make available to the Board any requested/relevant records with respect to an inquiry or complaint about the licensee or applicant's professional conduct.
- (b) A licensee or applicant shall cooperate with any agent or employee acting on behalf of the Board.

- (c) Failure to abide by the provisions of this section shall be grounds for disciplinary action against a licensee and, in the case of an applicant, denial of a license.

18.02: Submittals, Renewals, Minimum Requirements, Audits and Sanctions for Initial Education Providers Conducting Learning Objective(s) for all Classes / Types of Licenses.

(1) ~~Provider-IEP~~ applications

- (a) ~~Providers-IEP's~~ shall submit for review and approval a written application, on a prescribed form, or other medium acceptable to the Board of State Examiners prior to commencing any advertisement for any objective or course.
- (b) Such submittal of application must include learning objective(s), reference books used, the site location, commencement date, if such learning objectives are taught daily or as an evening program, with the starting and completion date.
- (c) Renewal of application for providership shall be submitted on a prescribed form, or other medium acceptable to the Board for its review and approval not later than 90 days prior to the adoption of a promulgated Electrical Code.

~~Such submittal of application must include a learning objective(s), reference books used, the site location, commencement date, if such learning objectives are taught daily or as an evening program, with the starting and completion dates.~~

(2) Hardships and makeup classes

- (a) ~~Except as provided in Section 17, for 15 hour Continuing Education Programs,~~ providersIEP's are required to make available to truant students, who have documented their hardships, a make-up class or a written examination on the learning objective for the excused student.
- (b) Students are required to provide written documentation, within 30 days of such hardship to their provider.
- (c) No consideration for hardship shall be given to a student, unless written documentation is provided by the student to the provider within 30 days of such hardship and such hardship is accepted by the provider.
- (d) Students who fail to complete the scheduled make up class, or if applicable, have not obtained a 70% score on the examination, are

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required to successfully complete the learning objective to receive credit for such clock hours.

- (e) No makeup class or examination shall be given for a learning objective where a student is absent for 10% or more in a learning objective. In such situations the student must retake and successfully complete the learning objective to receive credit for such clock hours.

(3) ~~Provider~~ IEP duties

- (a) ~~Providers~~ IEP's are required to have available for each registered student a written copy of the Board Rules and Regulations and Candidate Information Bulletin then in effect.

- (b) Providers are required to have available on location, a copy of the related Reports of Proposals and Reports of Comments for the current Electrical Code and other related Regulations.

- (c) Agreements

1. ~~Providers~~ IEP's shall enter into a written signed agreement for the objective(s) offered with each student.
2. Such signed agreements, upon written request and within 30 days of such request, shall be given to the Board.

- (d) ~~Providers~~ IEP's shall maintain on a prescribed form or other medium acceptable to the Board 'Student Competency Profiles' (SCP) for each student. SCP's must meet the following requirements:

1. Documents each of the learning objective(s) the student has completed with the student's name, dates of commencement and completion and the clock hours of successful completion.
2. Are updated by the ~~provider~~ IEP at the end of each semester year.
3. Upon written request and within 30 days of such request, shall be given to the Board. The Board may audit any ~~provider's~~ IEP's educational program for compliance of Board Rules and Regulations.

- (e) Certificates of Completion

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1. Certificates of Completion shall be given to each student upon the completion of each learning objective or course and shall be incorporated into the student's Electrical Competency Profile.
2. ~~Providers-IEP's~~ shall issue a Certificate of Completion only to those students who have successfully completed the learning objective(s) and have otherwise complied with their agreement.
3. Certificates of Completion shall have the ~~name of the student~~ student's name, if the learning objective(s) completed is for the Master's, Journeyman, System's Contractor or Technician exam, the objective (s) name or identifier program, the date of commencement and completion, the clock hours for each learning objective the student successfully completed, and the signature of the provider IEP representative with his or her provider number.
4. ~~Providers-IEP's~~ shall maintain a copy of the Certificates of Completion ~~of for~~ each student for 10 years ~~from the date of~~ after completion.
5. Certificates of Completion, shall be ~~given~~ provided to the Board, upon written request and within 30 days of such request.

(4) Attendance Records

- (a) ~~Providers-IEP's~~ shall maintain daily attendance records for each student.
- (b) Attendance records shall be maintained by the ~~provider-IEP~~ provider-IEP for 10 years ~~from the date of~~ after completion of such ~~objective-program or course~~.

~~For evening and similar programs the provider shall maintain daily attendance records shall be typed with the following information; title of the objective or course, the providers refund policy; the date; the name of each student with provisions for the students' signatures.~~

- (c) Attendance records ~~must~~ shall be ~~provided~~ given to the Board within 30 days of such request.

(5) Provider-IEP notification to the Board

- (a) ~~Providers-IEP's shall~~ are will be required to, in a medium acceptable provide the Board, upon request, e to the Board; provide the Board a detailed list of all enrolled students by ~~objective(s) program~~ within 30 days of the commencement date of such ~~objective(s) program~~.

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- (b) ~~Providers IEP's are required to give to immediately notify to the Board, upon immediate notification with regards to terminating any agreement Agreement with a student.~~
- (c) ~~Providers IEP's are required to give immediately notify to the Board, immediate notification with regards to the the Board of withdrawal or the termination of their providership.~~
- (d) ~~A Provider An IEP, who cancels a learning objective(s) program for any reason, shall immediately notify the Board of such cancellation.~~
- (e) ~~Providers IEP's shall comply with all Board rules provided in these regulations. Failure failing to comply with the requirements of these regulations shall be grounds for removal as a Board approved provider.~~

Regulation Authority:
237 CMR 18.00; M.G.L. c. 141, §§1, 1A, 2, 2A, and 3