

BOARD POLICY

POLICY REGARDING RENEWAL OF APPRENTICE LICENSES IN EXCESS OF 10 YEARS

(enacted 11-30-2016)

Background: Per 248 CMR 11.02(1)(d)(1) and 11.02(3)(d)(1), apprentice licenses may not be renewed after “ten years from the date the license was initially granted or Sept. 1, 2018, which ever comes later.” Restrictions on apprenticeship lengths, which can be found in many other trades, was placed in Board regulations for many reasons, including a recognition that the purpose of the apprentice license was to facilitate learning the skills needed to enter the plumbing and gas fitting trade as a licensed journeyman. As a license to learn, the apprentice license was never intended to be used as a means to engage in business as a full plumber or gas fitter in every aspect other than the title, while bypassing the education and other requirements required to obtain a full license. Notwithstanding these important issues, the Board recognizes that there may be special situations where imposition of the ten year restriction may create unnecessary hardships, accordingly, it has retained for itself, via 248 CMR 11.02(1)(d)(3) and 11.02(3)(d)(3), the authority to permit continued renewal of an apprentice license beyond the ten year date. The purpose of this policy is to provide the applicable rules governing such waivers.

Summary: Under this policy, an apprentice who would otherwise not be able to renew their license will be able to do so if they have been employed as an apprentice for at least five years, have a disability, or are currently enrolled in a tier program. Apprentices then allowed to renew must either participate in a tier program or periodically take Tier 5 for plumbing or Tier 3 for gas fitting

Policy:

I. Eligibility

Pursuant to 248 CMR 11.02(1)(d)(3) and 11.02(3)(d)(3), upon written petition to the Board, the Board shall permit apprentices to renew their licenses (or reinstate a lapsed license) beyond ten years (or Sept. 1, 2018), upon submitting a Board approved application, when they show documented proof of one of the following three options:

- A. They have been employed for at least five years as a validly licensed apprentice and are currently employed by a master licensee;
- B. They have been employed for less than five years, but have obtained employment with a master licensee AND have enrolled in a Tier program that has either commenced or will commence within six months of the date of their application; OR

- C. They suffer a condition or disability which has been documented, in writing, by a licensed medical professional, as preventing them from completing the requirements for apprenticeship.

II. Subsequent Renewal Requirements

Apprentice licenses extended under this policy must continue to be renewed every two years. Once a license has been approved for renewal under this policy, future renewals (after the first renewal following Board approval) shall only be permitted upon submitting a special renewal application meeting the following requirements:

A. Education

Apprentices must continue to obtain education. Apprentices seeking subsequent renewals of apprentice licenses under this policy must be able to show:

1. Active enrollment and participation in a Tier based education program; OR
2. Completion of Tier 5 for plumbing or Tier 3 for gas fitting within four years of the date their apprentice license will expire. After this four year period, the apprentice will need to retake the Tier class to remain eligible for renewal under this policy.

B. Proof of Active Employment or Disability

Absent a disability, apprentices will only be allowed to renew their licenses if they are employed as an apprentice by a master licensee. As a result, every time an apprentice applies to renew his/her license under this policy, he/she must be able to document either:

1. That he/she is actively employed as an apprentice by a master licensee; OR
2. That, as documented by a licensed medical professional, they continue to suffer from a disabling condition that prevents them from completing the requirements for apprenticeship.

III. Additional Provisions

- A. The exceptions in this policy are only intended for apprentices whose practice fully adheres to Massachusetts law and Board regulations. As a result, individuals who have been disciplined by the Board after the effective date of this policy shall not be eligible for extended renewal of their apprentice licenses under this policy.

- B. The Board reserves the right to change this policy at any time. As a result, applicants seeking to renew their apprentice license pursuant to this policy must agree that all future renewals are only permitted at the discretion of the Board, thus they will be subject to the latest Board policies. Any changes to this policy will not apply to licensed apprentices until the next time their license would need to be renewed.