

271 CMR: BOARD OF EXAMINERS OF SHEET METAL WORKERS

271 CMR 2.00: DEFINITIONS

Section

2.01: Definitions

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For the purpose of 271 CMR, the terms listed below shall have the following meanings:

Apprentice or Apprentice Sheet Metal Worker means a holder of a valid Class A license and a person who is authorized to perform sheet metal work under the direct supervision of a Master or Journeyperson in the employ of a Master.

Board means the Board of Examiners of Sheet Metal Workers except as otherwise defined.

Business or Sheet Metal Business means any partnership, corporation, association, limited liability company, limited liability partnership, or other business organization or entity, whether for-profit or not-for-profit, which provides sheet metal work, either exclusively or in combination with other types of goods or services.

Combustion Unit means any stoker, oil burner, oil burning equipment, gas burner, gas burning equipment, conversion burner, or incinerator, and their component parts.

Direct Supervision means direct, personal, on-site supervision.

Employee means an individual who is subject to the direction and control of an organization or individual with respect to the nature of the work to be performed and the manner in which such work is to be done, including but not limited to, such matters as work hours, method and amount of compensation, decisions about what services will be provided, decisions about who will receive such services, and other terms and conditions of employment. The question of whether an individual is or is not an "employee" does not depend on the specific method of remuneration for services.

Executive Director means an employee of the Division of Professional Licensure charged by the Division and the Board with the day-to-day supervision of Board business. The Executive Director shall have such delegated authority as defined by the Board's regulations, policies, and formal votes.

Journeyperson or Journeyperson Sheet Metal Worker means a holder of a valid Class J-1 or J-2 license and a person who is authorized to perform sheet metal work and supervise, but not employ, apprentices.

Licensee means holder of a license issued by the Board.

Master or Master Sheet Metal Worker means a holder of a valid Class M-1 or M-2 license and a person who is authorized to operate a regular place of sheet metal business, and, personally or through employed journeypersons, perform sheet metal work and supervise apprentices.

M.G.L. means Massachusetts General Laws.

Provider means a provider of continuing education approved by the Board.

Refrigeration Unit means any machine whose function is the removal of heat from an enclosed space, or from a substance, and moving the heat to a place where it is unobjectionable. The primary purpose of a refrigeration unit is lowering the temperature of an enclosed space or substance and then maintaining that lower temperature.

Residential means dwellings, not more than three stories in height, and their accessory structures.

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Responsible Craftsman means a licensed Master Sheet Metal Worker who assumes the duties and accepts the responsibilities associated with being the ultimate, regulated, professional authority within a business entity.

Sheet Metal Work means the manufacturing, fabrication, assembling, handling, erection, installation, dismantling, alteration and repairing of all commercial duct or air exhaust systems, except for refrigeration and combustion units; installation of commercial fans, sheaves, belt guards, dampers, louvers, screens, registers, grilles, diffusers, sound traps, attenuators, mixing boxes and access doors in connection with duct or air exhaust systems, commercial and industrial architectural sheet metal watershed roof systems, except for roof coverings and associated metal flashing; the testing, adjusting and air-balancing of all air-handling equipment and ductwork installed during new or remodeling construction, the installation of commercial and industrial kitchen hoods, kitchen vents, bathroom exhaust vents and fans; provided, however, that sheet metal work shall not include the work conducted by a licensed pipe fitter, oil burning technician, refrigeration technician, plumber or gasfitter as determined by the laws and regulations relating to those professions.

NOTE: Function and purpose shall determine "sheet metal" work, not the materials employed. For example, PVC (Polyvinyl Chloride) and CPVC (Chlorinated Polyvinyl Chloride) duct work systems are included in 271 CMR 2.01: Sheet Metal Work.

Veteran shall mean an individual meeting one of the categories defined in M.G.L. c. 4, § 7. In brief, a veteran shall be any person whose last discharge from active service was under honorable conditions, and who served in the Army, Navy, Marine Corps, Coast Guard, or Air Force of the United States for not less than 180 days of active service. This shall not include active duty for training in the Army National Guard or Air National Guard or active duty for training as a reservist in the armed forces of the United States.

REGULATORY AUTHORITY

271 CMR 2.00: M.G.L. c. 112, §§ 237 through 251.