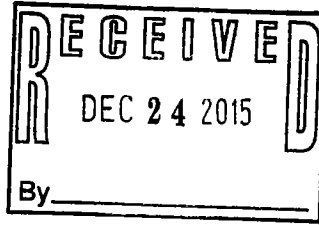




Associated Builders and Contractors of Massachusetts
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December 22, 2015

Edward Kawa, Chair
Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters
Department of Public Safety
50 Maple Street
Milford, Massachusetts 01757

RE: Executive Order 562 Regulatory Review Written Comments

Dear Chairman Kawa & Members of the Bureau:

On behalf of Associated Builders and Contractors of Massachusetts (ABC) and its 400 member companies employing over 20,000 men and women across the Commonwealth, I wish to register our written comments in regard to the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters' (hereinafter the "Bureau") regulatory review being considered and conducted pursuant to Executive Order 562. After consultation with our membership and discussions amongst leaders in the pipefitters, refrigeration technicians, and sprinkler fitters trades, we believe addressing the following issues will better serve the industry and accomplish Governor Baker's intent to reduce unnecessary costs, burdens and complexity imposed by existing regulations.

The Commonwealth is experiencing a labor crisis due to a general inability to license qualified tradesmen or attract a young workforce due to excessive educational, licensing, and ratio requirements. We have identified a number of issues that, if changed, would ensure the health and wellbeing of the industry.

APPRENTICE-TO-JOURNEYMAN RATIOS

Pursuant to M.G.L. c. 146 §81 and 528 CMR 2.02, a pipefitter and refrigeration technician apprentice must register with the Division of Apprentice Standards (DAS)¹, the only trades requiring DAS registration. DAS establishes the requirement of a journeyman to apprentice to ratio under M.G.L. c. 23 §11k(9), but defers the determination of the actual ratio to union collective bargaining agreements. As of now, the ratio is 5 journeymen to 1 apprentice.

Applying the union collectively bargained apprentice ratio of 5 to 1 for *all* pipefitter and refrigeration technician apprentices, the majority of whom do not work under collective bargaining agreements, is patently unfair and an unreasonable impediment preventing the

¹ M.G.L. c. 146 §81 and 528 CMR 2.02 defines pipefitter and sprinkler fitter apprentices as those who are "registered." The section goes on to define "Registered" as "*a person registered according to the provisions of chapter seven hundred and seven of the acts of nineteen hundred and forty one,*" or the chapter establishing the Department of Apprentice Standards.



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expansion the workforce. Requiring five journeymen for every one apprentice is an unnecessary barrier restricting the number of young people who otherwise could enter the trade and also limits the amount of apprentices that could otherwise safely gain experience on each job. It creates a negative and potentially confusing effect resulting in a single apprentice reporting to several supervisors at any given time. Other similar high-skilled trades such as electrician, plumber, gasfitters, sprinklerfitters etc. do not require DAS registration or such restrictive ratios for apprentice licensing. In light of the urgent need to bring more workers into the industry, we encourage the Bureau to engage the Division of Apprenticeship Standards to discuss options that would allow for more flexibility.

WELDING LICENSE

The legislative intent of the pipefitter regulations was to carve out a career path for an individual who intends only to weld and not obtain their full pipefitter license, yet the current regulations do the exact opposite by requiring all welders to first obtain a pipefitters license before they can obtain their welders license. This unnecessarily increases the skill and training requirements *and* timeframe to become a welder, which in turn increases the costs to construction in the Commonwealth. Furthermore, it creates a barrier for new welders to enter the trade, which is adding to the workforce shortage and will only be exacerbated when older pipefitters retire.

PROCESS PIPING PIPEFITTER EDUCATIONAL REQUIREMENTS

The current educational requirements for a Process Piping Pipefitter are the same requirements to obtain an unrestricted pipefitters license. Each must complete 350 hours of ASME Code classroom training and have worked for at least 6,000 on-the-job training hours. It is counterintuitive for those tradesmen and women who seek a process pipefitters license, which authorizes work in a capacity that is more limited than an unrestricted pipefitters license, to fulfill the same exhaustive educational and on-the-job training requirements. The purpose of the process pipefitters license is to regulate a specific, narrower subset of an unrestricted pipefitter's work, yet to obtain the license an applicant must fulfill the same training requirements. We recommend tailoring and reducing both the educational and on-the-job training hours to cover only what is relevant to process pipefitting. We believe this would have no effect upon the quality of licensees and would entice new tradesmen and women to enter the field.

Addressing the aforementioned issues would provide increased opportunities to expand the Commonwealth's workforce while addressing certain practical applications of the code. I appreciate the opportunity to submit these comments in regard to the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters' regulatory review being considered and conducted pursuant to Executed Order 562. Should the Bureau have any questions regarding these recommendations please do not hesitate to contact our office. Thank you for your time and consideration of this matter.



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Sincerely,

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